MAJOR-GENERAL

SIR THOMAS MUNRO

BART., K.C.B.

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MAJOR-GENERAL
SIR THOMAS MUNRO

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GOVERNOR OF MADRAS

SELECTIONS FROM HIS MINUTES AND OTHER OFFICIAL WRITINGS

EDITED

WITH AN INTRODUCTORY MEMOIR AND NOTES

BY

SIR ALEXANDER J. ARBUTHNOT, K.C.S.I., C.I.E.

IN TWO VOLUMES

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SECTION II.

JUDICIAL.

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TRIAL BY PANCHÁYAT.

15th August, 1807.

Strange mixture of fraud and honesty in the native character. Difficulties of a European Judge in appreciating native evidence.

THERE is such a strange mixture of fraud and honesty in the natives of India, and even in the same individuals, in different circumstances, that none but a native can, on many occasions, penetrate the motives from which such opposite conduct arises. The numerous petty dealings constantly going on, with comparatively very few disputes, the frequency of depositing money and valuable articles without any kind of voucher, and the general practice of lending money without any kind of receipt or document but the accounts of the parties, manifest a high degree of mutual confidence, which can originate only in a conviction of the probity of each other. But, on the other hand, every native will perjure himself. In every litigation respecting water, boundaries of villages, and privileges of caste—in all these cases, he never speaks the truth, unless from the accident of its being on the side which he conceives himself bound to espouse. He will also perjure himself (not uniformly indeed, yet with little hesitation) in favour of a relation, a friend, or an inhabitant of the same village; and even in favour of persons in whose welfare he has apparently no concern. These causes, added to bribery, render perjury so common, that scarcely any dependence can be placed upon evidence, unless where it is supported by collateral proofs. The number of witnesses, and even their general character, is therefore of less consequence than an acquaintance with those particulars, customs, and prejudices by which their evidence is likely to be biassed. The Judge must always be inferior to a native in knowledge of this kind. He will likewise be deficient in language; he never can be so

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much master of it as to follow and detect the minute points by which truth and falsehood are often separated. The voice of a witness, the manner, the mode of expression, the use of words of a less positive, though often similar sense—all these must be beyond the reach of a European, whose knowledge of an Indian language can never extend to such niceties. The Judge must, therefore, often require explanation from the officers of the Court, and trust to their opinion. Where he forms a wrong one, there is little hope of his being enabled to correct it from any arguments that may be adduced by the pleaders; for these men will most probably agree among themselves, and divide all fees, and care very little which of the parties in a suit is successful.

Trial by panchâyat the most effectual remedy.

It is to be feared that no complete remedy for these evils can be found; but the most effectual one would be to resort to the trial by jury, termed by the inhabitants panchâyat, or sabhâ, according to their respective languages. The judicial code in civil cases authorizes trial by referees, arbitrators, and munsifs, but says nothing of trial by panchâyat. It seems strange that this code, which has been framed expressly for the benefit of the natives, should omit entirely the only mode of trial which is generally so popular among them, and regarded as fair and legal; for there can be no doubt that the trial by panchâyat is as much the common law of India in civil matters, as that by jury is of England. No native thinks that justice is done where it is not adopted; and in appeals of causes formerly settled, whether under a native government or under that of the Company, previous to the establishment of the Courts, the reason assigned in almost every instance was that the decision was not given by a panchâyat, but by a public officer, or by persons acting under his influence or sitting in his presence. The native who has a good cause always applies for a panchâyat; while he who has a bad one, seeks the decision of a Collector or a Judge, because he knows that it is easier to deceive them. It may be objected that a panchâyat has no fixed constitution, that the number of its members may vary from five to fifty, or even more, and that its verdicts are often capricious. But all these objections formerly lay against juries, and they might unquestionably be removed from panchâyats by future improvements. The native commissioners are so much

Popularity of this mode of trial.

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restricted, and their proceedings so liable to be suspended or reversed, that the whole administration of civil justice may be said to centre in the person of a Zillah Judge, who, though he may be endowed with the greatest talents and application, must ever remain but imperfectly acquainted with the language and customs of the people on whose rights he decides. A pancháyat has greatly the advantage of the Judge in these matters; and being less exposed to intrigue and bribery than the officers of the Court, it would be more capable than the Judge of ascertaining the truth, and more willing than his officers to support it. It would be idle to expect that justice could be administered personally by a single European to a whole province or zillah. In every populous country justice can be properly distributed only by means of the natives. If it is supposed that they cannot be made to dispense it to each other, it is still more unlikely that this can be accomplished by a stranger. The code has, however, imposed this task upon the Zillah Judge, evidently from the idea that the natives are not to be trusted. There is certainly no situation in which a native can receive bribes with greater facility and less risk of discovery than in that of a commissioner; but the evil might be prevented in a great measure by obliging him to try all suits by a pancháyat, where either of the parties required it. The natives cannot surely, with any foundation, be said to be judged by their own laws, while the trial by pancháyat, to which they have always been accustomed, is done away. The code provides referees and arbitrators; but these are not what the native wants. He has most probably had recourse to them already; and when he comes forward to complain publicly, he expects a pancháyat. The rapacity of many of the native governments and their officers compelled the inhabitants, for their own sakes, to settle all disputes concerning property as secretly as possible, by the help of referees or arbitrators; but where these means failed, they were constrained to make the suit public, merely because a pancháyat could not be assembled without the interposition of authority. They still proceed in this manner; and where the parties can agree about referees or arbitrators, they can generally obtain them without application to a court of justice.

Reasons for adopting it.

Pancháyats will, no doubt, be occasionally influenced by corrupt motives, as well as the officers of a court of justice;

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but when this happens, it is better that the disgrace should fall on the pancháyat than the Court; for in the one case, the inhabitants can only lament the depravity of their own morals, but in the other, the Court and the Government by which they have been introduced, will be rendered unpopular.

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THE ADMINISTRATION OF JUSTICE.

22nd November, 1813.

Advantages and disadvantages of the judicial system introduced by the British Government.

The judicial system introduced into India by the British Government, though it has, in many instances, given to the natives a greater degree of protection and security in their persons and property than they had before enjoyed, yet in others, again, from the collision of authorities which it has occasioned, from the want of a more summary process in petty suits, and from the annihilation of the ancient jurisdiction of the potails, or heads of villages, it has left justice more difficult of attainment than it was before. It has had the beneficial effect of showing to the people of India that not only individuals, but public officers and Government itself, are accountable for every act done by them contrary to the laws, and that it is the wish of Government that its power should be founded on justice. But though the natives admire this principle, they certainly do not think so highly of the means which have been adopted for its accomplishment; for the system is regarded by them rather as one of good intention than of efficient operation. Its main defects are, that it is too artificial, and too little adapted to the state of society in India; that it proceeds upon the assumption that the natives are altogether unworthy of trust, and, in consequence, it requires too little native and too much European agency; and that it takes the duties of Magistrate and Superintendent of Police from the Collector, by whom alone they can be adequately discharged, and throws them upon the Judge, who has no time to attend to them, and who cannot engage in them without deranging the municipal institutions of the country, which connect them inseparably with the office of Collector.

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Alterations required. Restriction of the Judge to judicial functions. Restoration to the Collector of the functions of Magistrate and Superintendent of Police.

In seeking to facilitate the administration of justice and the police, it is not necessary to overthrow, but to correct the existing system; and with this view two important alterations must be adopted—first, the confining the Judge entirely to his judicial functions; and, second, the separating the offices of Magistrate and Superintendent of Police from that of Judge, and reuniting them to that of Collector, as they formerly were under the British Government, and as they always are under the native princes. It would also be expedient to grant to the Collector and the heads of villages a limited jurisdiction in petty civil suits. By this arrangement, the Judge would be relieved from the duties of Magistrate and from the hearing of a number of petty causes, which occupy the greater part of his time, and would have abundant leisure to get through all the suits that came before him. The police would be infinitely better managed by the Collector than by the Judge; and the potails and curnums of villages would be relieved from serving two masters, the Collector in matters of revenue, and the Judge in those of police, and would regain their usual authority, which has been too much weakened, and strengthen Government. The union of the powers of Magistrate and Collector may appear extraordinary in this country; but as the municipal institutions of India are calculated for those duties being vested in the same person, it is much better that they should remain united in him, by whom alone they can be adequately discharged, than that, by a separation, the important office of Magistrate should be rendered totally inefficient. We are not to consider English maxims as always applicable to India, but to follow those rules which are most applicable to that country, as it now is. India has no political freedom, no voice in framing laws or imposing taxes; and many regulations are now proper there, which might be otherwise under a state of greater freedom.

Reasons for these changes.

English maxims not always applicable to India.

The judicial system will be rendered more effective by the proposed changes.

The present judicial system can suffer no detriment, but will rather be invigorated by restoring the office of Magistrate to the Collector. The duties of Magistrate and Judge are so totally unconnected, that no collision of authorities can possibly arise from the measure. But it will require much consideration, and perhaps great practical experience, before such a line of distinction can be drawn between the powers of the

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Judge and of the Collector in his judicial capacity, as may prevent their clashing with each other. The usage of India entrusts to the Collectors the fiscal and judicial powers in an equal degree: the British Government has made a complete separation of them. Their union to a certain extent would render the administration of justice much more efficacious, by enabling it to reach numberless petty cases which would otherwise be left without remedy; but the separation should still be sufficiently wide to preserve a perfect control over the Collector, whenever it was supposed that he could have any bias as a party concerned.

Argument derived from the ancient constitution of Indian villages.

If the Collector is invested with the authority of Magistrate, his situation as far as regards the police will be exactly the same as under the native princes: he will have the undivided command of all the village servants, and will be able to employ them, according to the custom of the country, in the duties both of revenue and police. The constitution of Indian villages has been so often explained, that it is hardly necessary to repeat that, under the Hindu Government, the police is directed by their respective potails, or head farmers, with the assistance of the tóttis and taláris, the hereditary village watchmen.

Powers and duties of the potail.

The powers of the potail, as Magistrate, though not defined by any written law, are sufficiently limited by the custom of the country to prevent their being converted into an engine of oppression. He has every facility for apprehending offenders, but he is rarely permitted to inflict even the most trifling punishment. In petty affrays or assaults, he may confine in the cutcherry for one or two days, and take bail for good behaviour. Where the conduct of the aggressor has been particularly outrageous, he may put him in the stocks for a day, or punish him with two or three strokes with a cane; but the stocks and the cane are seldom resorted to. In offences of magnitude, such as housebreaking, robbery, or murder, he apprehends, examines, and reports, but cannot punish.

Procedure.

The proceedings, on such occasions, are usually as follows:—When a robbery happens within the limits of the village, information is immediately brought to the potail, who, if the robbery has been perpetrated by a gang, and resistance is expected, puts himself at the head of a number of armed inhabitants, and goes in quest of the banditti; but if there be only one or two robbers, he instantly

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calls the village watchmen together, and despatches them in pursuit. They repair to the spot where the robbery has been committed, and are guided by such intelligence as they can obtain there. If they can procure none, they shape their course by their knowledge of suspicious characters in the neighbouring villages, or they endeavour to trace the marks of the robbers' feet in the land; and where it passes their own boundary, they show it to the watchmen and potail of the village within whose limit it has entered, who are then answerable for the apprehension of the offender. But if the offender is taken within the jurisdiction of the village where the robbery was committed, he is carried before the potail, who, with the curnum, investigate the matter publicly in the cutcherry. The deposition of the prisoner is taken in writing; that of the principal witnesses is also sometimes, but not always, committed to writing. When the examination is finished, the potail and curnum, with the prisoner and witnesses, proceed to the station of the district amildár, who again examines the parties, and commits the whole of the depositions to writing. He then reports the circumstances to the amildár of the province, and, according to the orders he may receive, either detains the prisoner for future examination, when the head or provincial amildár comes to the spot in his ordinary circuits, or immediately sends forward the prisoner and witnesses to him. Under the Hindu princes, the provincial amildár has not only the authority of a Magistrate, but all the powers of a Criminal Judge in their utmost extent, and his sentence is therefore final. He is sometimes restrained from ordering the execution of a capital sentence until he has made a reference to the prince; but this is not usual. The sentence of death is, however, rarely passed, except in cases of murder, or in some very atrocious cases of gang-robbery, accompanied with maiming.

Pancháyats not employed by the Hindus in criminal cases.

The Hindus did not employ pancháyats in criminal cases. The Judge, either alone, or with the assistance of his deputies or other public officers, tried and passed sentence.

Hindu system retained in the earlier years of the Company's Government. Advantages of uniting

The account which has been given of the potail in his capacity of village magistrate, in the States of the native princes, was equally applicable to him in the dominions of the Company until the introduction of the judicial system. The district amildár of the Hindus was similar to the tahsildár

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of the Company's Government. His powers as a Magistrate very little exceeded those of the potail, only that he might, and the potails could not, levy small fines for petty offences. The provincial amildár of the Hindus was the old Collector of the Company's Government exercising judicial authority. The Collector has very properly been deprived of the functions of a Criminal Judge, but all those of Magistrate ought to be left to him entire and undivided; for by no other arrangement can there be a cheap and active police, capable of protecting the persons and property of the inhabitants. There may indeed be an expensive police establishment, but its inefficiency will be nearly proportionate to its expense. No new or extraordinary powers are requisite to enable the Collectors to superintend the police. Those vested in the Magistrate by Regulation VI., 1802, will be amply sufficient for this purpose; and those exercised by the potails and tahsildárs, being as limited as they well can be, consistently with efficiency, ought to be continued to them, in the same manner as under the Hindu sovereigns. By this means the duties of Collector and Magistrate will be conducted without any jarring of European authorities, without innovating upon ancient usage, by placing the heads of villages and the village servants under two masters, the Judge and the Collector; without disgusting the potails and curnums and village watchmen, by subjecting them to the constant interference, and even to the control of hired darogahs; and without any additional expense, because the hereditary village servants and the Collector's revenue servants are fully adequate to every object of police. By the Hindu institutions the duties of police and revenue are closely interwoven. The village watchmen, the potails, and even the curnums or village registrars, are both revenue and police servants, and the tahsildárs and their establishments are employed alike in both duties. When, therefore, the Collector is also Magistrate, everything flows in its usual channel. The village watchmen act zealously under their hereditary potails, whom they respect; and these again, proud of the station which they occupy, endeavour to justify the confidence reposed in them, by a vigilant performance of their duties as village magistrates; and the amildárs, knowing perfectly how useful the potails are in maintaining the internal tranquillity of the country, and how necessary it is to support their influence,

the supervision of the police, magistracy and revenue in the Collector.

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never interfere with them in the management of the village police, but, on the contrary, assist them with their own servants in cases of need. The union of police and revenue is supported by veneration for ancient customs, and by the habits of the people. As the system is under the direct management of the potails, who are the most respectable body of landholders in India, and as they are more deeply interested in the preservation of the peace of their villages than any other class of men, and have the willing co-operation of the inhabitants, the police in their hands has every advantage which can be derived from the employment of a most active and zealous body of village watchmen and from the cordial assistance of the people.

Objections to the system established by the Judicial Regulations.

The new system of police established under the Judicial Regulations has everything against it and nothing in its favour. It is at variance with the feelings and prejudices of the people, and has therefore no moral force to uphold it. It rests almost exclusively on the services of a set of hired darogahs and peons, who, having no connection or common interest with the inhabitants, and not having, like the hereditary watchmen, been trained from infancy to their business, have neither the requisite zeal nor skill for its execution; and as it places the potails and taláris in some degree under the control of the darogahs, it lessens the influence of the potails in their villages, and deprives the taláris of the credit and rewards they usually obtain from successful exertions in the apprehension of robbers; and it thus injures the only men by whom the duties of police can be efficiently discharged.

Expediency of granting the Collector judicial powers as Magistrate may be questioned. Such a measure, however, is in accordance with the ancient system of the country.

Few persons who have bestowed any attention on the municipal institutions of the village corporations, or little republics, of which India is composed, will doubt the absolute necessity of placing the police in the hands of the Collector; but some may question the expediency of granting him judicial powers, and many who think that they should be granted, will entertain very different opinions with regard to their nature and extent. In framing new regulations for India, it is always desirable to examine previously what are the existing ancient ones of the country, and what part of them it would be prudent to preserve or abolish. It may, therefore, be necessary to state, in a few words, what were the judicial powers exercised under the Hindu princes in the countries now forming the British empire in India, by the various grada-

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tions of revenue servants, from the potail to the head amildár or Collector. The authority which they possessed in criminal matters has been already noticed; it now, therefore, only remains to show what it was in civil cases.

In matters of caste and religion they never interfered, unless in order to guard the peace of the country from being disturbed by tumults which sometimes arose from litigations on these subjects. Disputes relative to caste or religion between individuals were settled by the head of the caste, or the spiritual guide, without any communication whatever with the officers of Government. If either of the parties was dissatisfied, he appealed from the head of the caste or the spiritual guide of the village, according to the nature of the case, to the head of the caste or the head spiritual guide of the province, and their decisions were usually final; and, when necessary, they enforced them by fine or excommunication. Description of that system as regards the decision of civil disputes. In questions of caste and religion.

When a dispute arose regarding property, the parties, in the first instance, usually chose arbitrators in the village, who, unless the amount was very trifling, always gave their decision in writing to both parties. When the disputes respected accounts, an adjustment of them was made, and copies, signed by arbitrators and litigants, were mutually exchanged. If either party was dissatisfied, he appealed to the amildár of the district or province; but no second adjustment was allowed, except in cases of the most evident partiality. In questions of property. When either of the litigants wished to have his cause settled by a pancháyat, he applied to the potail of the village, who ordered it to be assembled. Such of the members as the parties chose to challenge were withdrawn. The first step of the pancháyat was to take a bond from the parties, stating that they were willing to abide by their decision: the pancháyat then proceeded to examine the parties and their witnesses. If the cause was one of considerable magnitude, the depositions of the witnesses and parties were taken in writing and inserted in the decision, copies of which, signed by all the members and the litigants themselves, were given to each of the parties. If the suit was for a thing of little value, the decision was given in writing, but the depositions of the witnesses, and very frequently also those of the parties, were omitted. Appeals might be made to the district amildár, and from him to the amildár of the province, for a new Assembly of pancháyat. Procedure.

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pancháyat, which was, however, rarely granted, unless when it appeared that corruption or intimidation had been employed. The pancháyat was sometimes placed under restraint with regard to communication with other persons, and obliged to decide without separating; but this was not so usual as adjournments, particularly in matters of account.

Duty of potail in connection with pancháyats.

The potail had no control over the pancháyat. It did not even sit in his presence; for this circumstance alone would have been a plea for a new trial, on the ground that he had influenced some of the members. His judicial authority, therefore, in suits between individuals, extended no further than the assembling of pancháyats and carrying their decisions into effect. It is true that application was often made to him in the first instance as an arbitrator, but this was optional, and depended much upon his personal character. When he acted in this capacity, the curnum usually sat with him, to assist with his advice and to witness the decision. The only occasion on which he could be said to exercise the authority of a judge, was in cases of disputed rent or property between individuals and Government. In all cases of this kind no pancháyat or arbitration was admitted: he heard the complaint, and gave his decision or order verbally. The party might appeal to all the different gradations of amildárs, and even to the sovereign, but in no stage of the business was any arbitration or trial necessarily allowed. The amildár, however, frequently referred such cases to the opinion of respectable inhabitants, and acted accordingly.

Disputes between individuals and Government.

Judicial authority of the amildár of a district.

The judicial authority of the district amildár differed in no respect from that of the potail, except in the greater extent of his jurisdiction, and in his being authorized to compel persons who refused to answer demands against them, to submit them to trial by arbitration or pancháyat. He, like the potail, decided all suits which the parties voluntarily brought before him as an arbitrator, and of his own authority all cases of rent in which Government was a party.

Of the amildár of a province.

The amildár of the province, or Collector, was governed by the same rules as the district amildár in his judicial capacity. He decided of his own authority in questions where Government was a party, and in all those between individuals which were submitted to him by the parties; but in all other cases, settled by arbitration or pancháyat, he had no power

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beyond that of enforcing the execution of the decisions given. Appeals were very seldom made from him: they could be made only to the sovereign, and, unless in cases of the most glaring injustice, they were not attended to.

Under the Hindus there were no courts of justice, except those of the potails and amildárs, and panchâyats.

From what has been said, it appears that under the Hindu administration there were no courts of justice, excepting the cutcherries of the potails and amildárs, and that all civil causes of importance were settled by pancháyats. The number of persons composing the pancháyat was not limited by any rule; it was five, ten, and sometimes twenty, but most usually eight or ten. There was no limitation as to the value in suits tried by pancháyats, assembled by the potail or amildár. It was left entirely to the discretion of the parties, who, if they thought that a sufficient number of persons properly qualified to give a decision, were not to be found in the village, repaired to the town in which the district amildár resided, who ordered a pancháyat either there or in any other place that they desired.

Records of suits kept by the parties.

Copies of decisions by pancháyats, arbitrators, or potails and amildárs, were seldom preserved in any public office, except in suits of great importance or for real property. But this was attended with no inconvenience, because, the practice being founded on the supposition that the people could read and write, the parties are, in India, always the keepers of their own records, and are, from many local causes, much better guardians of them than any public office.

Frequent destruction of records under native governments.

There is probably no native government in India which has not lost the whole of its records more than once by the devastations of war. A native army, sometimes in advancing, and always in retreating, sets fire to everything within its reach, and the dryness of the climate and the slightness of the buildings render the destruction rapid and extensive. Even in the strongest hill-forts, the public records are not secure; for when such places are taken, the assailants enter every public building, and, in searching for plunder, toss the records into the open air, where they are destroyed by fire or the weather. This was the fate of all the records of the Mysore Government at Seringapatam; they were thrown from the cutcherry into the parade below, and were almost entirely dissolved by a torrent of rain which fell next day. Besides the danger from the enemy, the cutcherry of the village and the house of the curnum, in times of disorder, are

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often maliciously set fire to by persons who expect to derive some advantage from the annihilation of particular documents. From these causes the curnums usually keep two, and even three copies of the revenue records, and one copy is generally buried. Individuals also preserve their valuable documents in the same manner. We ought, therefore, to continue the Indian practice of giving copies of judicial decisions to the parties concerned, since, in fact, they cannot be so safe under any other custody.

Practice of giving copies of judicial decisions to the parties should be continued.

Corruption prevalent under a weak and rapacious government.

The mode of distributing justice has been described as it was under a vigorous government. When the government was weak and rapacious, corruption descended from the head, through every gradation, to the lowest officer of the State, and justice was bought and sold. Still, however, the evil was greatly diminished by the universal practice of resorting to arbitration and pancháyat, and by public opinion; for every interference of a public officer with their proceedings was extremely unpopular, and, where undue influence had been exerted, the successful party was liable to lose what he had unjustly gained by a new trial, and the first change of the administration of the province. The strong attachment of the natives to trial by pancháyat has, no doubt, in some degree, arisen from the dread of the venality of their rulers; but it has probably been increased and confirmed by the conviction resulting from experience, that no judge, however upright and active, was so competent as such a body to dispense justice correctly and expeditiously.

Diminished by the pancháyat system.

Main defect of the Indian system was its dependence on the personal character of the officials. This evil will be checked by the supervision of European Judges.

The main defect of the Indian system was its resting too much on the personal character of the men who happened to be in office. This evil will, as far as possible, be gradually remedied by the courts established under European Judges; and under such a check, the ancient simple Hindu forms might be preserved in practice, to the great satisfaction and benefit of the inhabitants. The adoption of this measure would not involve any essential change in the constitution and authority of the judicial courts. These ought to be maintained; but with a jurisdiction so regulated, as to give full effect to the operation of pancháyats in facilitating the dispensation of justice. Nothing would be so effectual in promoting the attainment of this object as a recurrence to the Hindu system in all minor cases, under such limitations as might guard against abuse.

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THE PREVENTION OF RIOTS IN CONNECTION WITH CASTE DISPUTES.

3rd July, 1820.

Fatal riot at Masulipatam. Proposals of the Collector and Magistrate for dealing with disputes regarding processions and other caste ceremonials. Reasons for questioning the expediency of these proposals.

THE unfortunate riot at Masulipatam on the 29th of May, in which three persons lost their lives, seems to have arisen from one of those disputes about ceremonies, which are so common between the right and left hand castes. The great population of Masulipatam renders it peculiarly liable to such disturbances, and the well-known zeal of the Collector has led him to adopt measures for their prevention. But I fear that they will not have the desired effect, and that, if sanctioned, they will rather augment than mitigate the evil. The Collector's proposition is that all differences respecting procession and other ceremonies should be decided by the courts of law, and that, in the mean time, he should support the party whose claim seems consistent with natural right. He observes that the beating of tom-toms,* riding in a palankeen, and erecting a pandál,† are privileges which injure nobody, and naturally belong to every person who can afford to pay for them. This is very true; but it is also true that things equally harmless in themselves have in all ages and in all nations, and in our own as well as in others, frequently excited the most obstinate and sanguinary contests. The alteration of a mere form or symbol of no importance has as often produced these effects as an attack on the fundamental principles of the national faith. It would therefore be extremely imprudent to use the authority of Government in supporting the performance of ceremonies which we know are likely to be opposed by a large body of the natives. On all such occasions it would be most advisable that

* *Tom-tom*, a sort of drum used by the natives.

† *Pandál*, a temporary shed.

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the officers of Government should take no part, but entirely confine themselves to the preservation of the public peace, which will, in almost every case, be more likely to be secured by discouraging, rather than promoting, disputed claims to the right of using palankeens, flags, and other marks of distinction during the celebration of certain ceremonies.

Argument of the Magistrate. Answer to it.

The Magistrate seems to think that, because a decision of the Zillah Court put a stop to the opposition given to the caste of Banians, in having the Vaduklam rites performed in their houses in the language of the Vedas, it would have the same efficacy in stopping the opposition to marriage processions; but the cases are entirely different. The Banians have the sanction of the shástras* for the use of the Vaduklam rites in their families: the ceremony is private, and the opposition is only by a few Brahmins. But in the case of the marriage procession, there is no sanction of the shástras; the ceremony is public and lasts for days together, and the opposition is by the whole of the right-hand against the whole of the left-hand castes, and brings every Hindu into the conflict.

Order passed by the Magistrate. Its result.

The result of the Magistrate's experiment ought to make us avoid the repetition of it. We find from his own statement that the mischief was occasioned by his wish to restore to the caste of goldsmiths the right of riding in a palankeen, which he considered to belong to every man who chose to pay for it. He annulled a former order against it, in consequence of the complaint of the writer of the Zillah Court, that he was hindered by it from performing his son's marriage in a manner suitable to his rank; and as he did not apprehend any disturbance, he left Masulipatam before the ceremony took place. The Assistant Magistrate, however, two days before its commencement, received information that opposition was intended. He did whatever could be done to preserve the peace of the town, but to no purpose. He issued a proclamation, stationed the police in the streets to prevent riot, reinforced them with the revenue peons, and desired the officer commanding the troops to keep them in readiness within their lines. But in spite of all these precautions, a serious affray, as might have been expected, occurs, in which property is plundered and lives are lost; and all this array of civil and military power, and all this tumult, arises solely from its being thought neces-

* *Shástras* here mean the sacred scriptures of the Hindus.

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sary that a writer of the court should have a palankeen at the celebration of a marriage. Had the writer not looked for the support of the Magistrate, he would undoubtedly not have ventured to go in procession, and no disturbance would have happened.

Customs in regard to caste privileges differ in different places.

The Magistrate states that this very writer had gone about for many years in a palankeen without hindrance. But this is not the point in dispute: it is not his using a palankeen on his ordinary business, but his going in procession. It is this which constitutes the triumph of one party and the defeat of the other, and which, whilst such opinions are entertained by the natives, will always produce affrays. The Magistrate supposes that the opposition was not justified by the custom of the country, because it was notorious that in many places of the same district the goldsmith caste went in procession in palankeens. This is very likely; but it does not affect the question, which relates solely to what is the custom of the town of Masulipatam, not to what that of other places is.

It is not uncommon for a caste to have a privilege in one place which it has not in another. In a small village, or in a village where there are but few persons of the opposite caste, it goes in procession in a manner which it could not do in a great town, where the numbers are more equally balanced. The Magistrate has not shown that the goldsmiths had, in the town of Masulipatam, the privilege which they claim. Had it existed, he could have had no difficulty in finding the proof of it among the Mahomedan population, or even among the Brahmins, who, in general, have no interest in the disputes of the right and left hand castes. We can infer, not only from the Magistrate's having stated no precedent, but from the unwillingness of the revenue and police servants to take an active part or even to give information, that the claim of the goldsmiths was unfounded.

Fidelity of sepoys should not be exposed to trial in such cases, except upon very urgent grounds.

The Assistant Magistrate remarks that the police servants connived at the conduct of the rioters; but that the sepoys, though they might be supposed to act under the influence of the same prejudices, showed no improper bias. We are not, however, to conclude from the conduct of the sepoys that they were less inclined to the cause of the rioters than the police. Sepoys are often led by the habit of military discipline to act in opposition to their prejudices, but nothing can

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be more dangerous than to expose their fidelity to such a trial, and it ought never to be done, unless in cases of the utmost necessity.

Magistrates should discountenance innovation on the mode if celebrating marriages or other public ceremonies.

It would be desirable that the customs of the castes, connected with their public ceremonies, should be the same everywhere, and that differences respecting them should be settled by decisions of the courts; but as this is impossible while these prejudices remain, we ought in the mean time to follow the course most likely to prevent disorder and outrage. The conflicts of the castes are usually most serious and most frequent, when one party or the other expects the support of the officers of Government. They are usually occasioned by supporting some innovation respecting ceremonies, but rarely by punishing it. The Magistrate ought, therefore, to give no aid whatever to any persons desirous of celebrating marriages or other festivals, or public ceremonies in any way not usual in the place, but rather to discountenance innovation. He ought, in all disputes between the castes, to take no part beyond what may be necessary in order to preserve the peace; and he ought to punish the rioters on both sides, in cases of affray, for breach of the peace, and on the whole to conduct himself in such a manner as to make it evident to the people that he favours the pretensions of neither side, but looks only to the maintenance of the peace.

I recommend that instructions in conformity to these suggestions be sent to the Magistrates for their guidance.

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ON CERTAIN REFORMS IN THE JUDICIAL ESTABLISHMENTS.

16th March, 1821.

MOST of the amendments of the Regulations proposed in the Minute of Mr. Stratton have already been sent to the Board of Regulations by Government, though not in so specific a form. They will be comprised in two Regulations—one criminal, the other civil—and they will, I have no doubt, be very useful both in promoting the ends of justice and in facilitating its distribution. Proposed amendments in the Judicial Regulations.

The criminal Regulation will vest in tahsildárs and heads of villages the power of punishing petty thefts, to a limited extent, without reference to the Magistrate. The Sadr Adálat object to these officers having the power of even taking examinations regarding petty thefts, in their remarks upon a proposition to that effect by the First Judge on circuit of the Centre Court. If we are to be guided by this objection, we must continue, as at present, to force thousands of people every year before the Magistrate as witnesses in trifling matters, for which they ought never to have left their homes; or we must consent to let numbers of petty thefts go unpunished, because those who know of them are deterred from informing by the fear of being sent to a distant court to give evidence. Powers of punishment to be vested in tahsildárs and heads of villages.

The jurisdiction of the potail will be limited to thefts within one rupee, and that of the tahsildár to thefts within five rupees. The potail will have no power to punish beyond what he now has in petty offences; the tahsildár's power of punishing will be limited to six rattans. The probable effect of the Regulation, as far as the potail is concerned, will be that many petty thefts, which now pass unnoticed, will be punished by a few hours' confinement, and that many which deserve no higher Proposed jurisdiction in each case. Effect of the Regulation.

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punishment, but which are now sent to the Magistrate, will be punished in the same way upon the spot. The effect of the Regulation with regard to the tahsildár will be to give him more weight in his district, to render him more efficient as a police officer, to enable him to relieve the Magistrate from much unnecessary labour in investigating trifling cases, and by punishing at once, upon his own authority and upon the spot, to render the example more impressive.

Impossible for European Magistrates to deal with all the petty crimes that are committed.

The doctrine that all thefts whatever should be cognizable only by the European Magistrate, and that not a single rattan should be inflicted throughout our wide territory, except by his order, has always appeared to me one of those visionary schemes which could never be reduced to practice, and which, even if it could, ought not to be adopted. A man must have had very little experience, or must have looked with very little attention at what was passing before him, who can believe that the few Europeans employed in the provinces are capable of investigating, in any adequate manner, all the various thefts that occur. Our native servants may tell us that we do all this, but we delude ourselves if we believe that we can. If we wish to do it, we must avail ourselves of the means within our reach, and make use of the intelligence of the natives in aiding us in this part of the internal administration, by granting to them jurisdiction in all those subordinate matters in which, from their habits, they are so much better qualified to act than ourselves. There are a great number of thefts of a trivial nature which, when not committed by persons of bad character, can scarcely be regarded as crimes; such as the stealing of a few roots or a little grain from a field by a servant of the owner or by some idle passenger, the pilfering in an open bazar of some tobacco or article of trifling value. Such matters ought not to be brought before the Magistrate. Before the introduction of the Judicial Code they were punished, as the case might be, either by the master of the house or the potail of the village, by some slight chastisement or by reprimand. They will now again be punished in the same manner, instead of being brought before the Magistrate, as too many of them have been of late years. There is no cause to apprehend that the limited authority proposed to be given will be abused by the tahsildárs or heads of villages; for they have no motive to prompt them to exceed the bounds prescribed by law, but

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the fear of punishment and the dread of losing their places to restrain them within them.

Effect of the civil Regulation.

The civil Regulation proposed by Mr. Stratton will extend the jurisdiction of the district munsifs, of the Sadr amíns, and of the Registrars of Zillah Courts, and will abolish fees on all suits under ten rupees tried by the district munsif. I am anxious to make a more extensive use of the district munsif, who, experience has shown, can do so much judicial business with so few appeals. This institution affords great convenience to the inhabitants by its nearness to their homes, and by the quickness and cheapness of its decisions. The extension of its jurisdiction will, by relieving the Zillah Judge from a great portion of his present business, enable us to enlarge the zillahs, to reduce the number of Judges, and to lessen the judicial expenditure. The extension of the jurisdiction of the district munsifs necessarily involves that of the Sadr amíns and Zillah Registrars, as the original distinction among them could not be otherwise preserved. The number of causes brought before the Zillah Registrars has been already so much reduced by the native tribunals, that an extension of jurisdiction becomes absolutely necessary in order to give them employment. But as they must now, from the time which they are required to pass at college, and in the revenue department after leaving college, be four or five years in the country before they are eligible for the office of Registrar, they will in future be as well qualified for the extended, as they were formerly for the more limited jurisdiction.

Advantages of more extended use of district munsifs.

Question of the expediency of abolishing fees in district munsifs' courts in suits for less than ten rupees.

The abolition of fees on suits within ten rupees in the district munsif's court is intended to prevent the munsif from drawing such suits away from the village into his own court. There is one objection to this measure which I have always seen, namely, that the district munsif might not entertain suits from which he could derive no profit, and that as the potail or village munsif might also decline to receive them, they might thus, between these two authorities, remain undecided. The district munsif, it is true, is bound to decide such suits; but he would probably find means to put off or to evade altogether the adjustment of them, when he had others before him which yielded him fees. I have therefore sometimes thought it would be more advisable to reduce the fees on the ten rupee suits so low as to leave the district munsif no inducement to

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seek them, but not so low as not still to make it worth his while to settle them when they came into his court. As it is, however, desirable that these suits should in general be settled by the village munsifs, and as it is likely that more of them will be settled in the villages in proportion as the delay of decision increases in the district munsifs' courts, I think that the experiment of a total abolition of fees on ten rupee suits should be made. It will probably have the desired effect, and if it has not, a small fee can be again imposed.

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GENERAL REMARKS ON THE JUDICIAL ADMINISTRATION AND ON THE POLICE.

31st December, 1824.

British Government in India more successful in its judicial than in its revenue administration, especially in the criminal branch.

In civil judicature more should be left to native agency.

In comparing our internal administration with that of the native princes, it may be said that we have, perhaps, been more successful in our judicial than in our revenue institutions. In the criminal branch, the extent of our power has rendered the apprehension of criminals more sure; and in spite of the difficulties of conviction arising from the Mahomedan law, punishment is as certain, and justice much more so, than before. I doubt if in civil judicature we have the same advantage yet, or ever can, until we leave to the natives the decision of almost all the original suits. The natives can hardly be said to have had any regular system. What it was, has been well described by the late Commissioner of the Deccan; but their decisions by various local officers, by pancháyats, and the prince, or the court established near him, though irregular, and often corrupt and arbitrary, dispensed as much real justice as our courts, and with less delay and expense; for the native judges, whatever their irregularities were, had the great advantage of understanding their own language, and their own code, much better than ours are ever likely to do. Our Judges will, however, improve every day from longer experience, and the expense to the suitors, both of time and money, be much reduced. Our Judges even now are in general more efficient than our Collectors.

In this country the judicial require, perhaps, less talent than the revenue duties; they are less complicated, and are not, like them, affected by adverse seasons, or by peace or war, but are governed by fixed rules, and require little more in general than temper and assiduity.

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Appointment of native judges, designated district munsifs, a valuable measure.

The district munsifs, or native judges, are a great improvement on our judicial institutions. They have relieved the Zillah Courts from a great mass of small suits: they get through a great deal of work, and there is reason to infer that it is performed in a satisfactory manner, because the inhabitants crowd to their courts, because the proportion of appeals from their suits is not large, and because it has not been found necessary to dismiss many for misconduct. They will every day become more respectable, when it is found that the corrupt and insolent are punished, and that the diligent and upright are allowed to hold their situations permanently. Their jurisdiction was extended in 1821 to matters amounting in value to five hundred rupees, and it might with great utility be extended much farther. It will in time absorb almost all original suits, with great advantage to the community, and leave to the Zillah Judge hardly anything but appeals.

Objections to the system of pancháyat considered.

There was nothing in which our judicial code, on its first establishment, departed more widely from the usage of the country, than in the disuse of pancháyat. When this ancient institution was introduced into our code in 1816, there was so much objection to it, both at home and in this country, lest it should become an instrument of abuse, that it was placed under so many restrictions as to deprive it of much of its utility. It was unknown to some of the Company's servants as anything more than a mode of arbitration: it was known by others to have been employed by the natives in the decision of civil suits, and even of criminal cases, but it was imagined to have been so employed, not because they liked it, but because they had nothing better; and it was opposed by some very intelligent men, on the ground of its form and proceedings being altogether so irregular, as to be quite incompatible with the system of our courts. All doubts as to the popularity of pancháyats among the natives must now have been removed by the reports of some of the ablest servants of the Company, which explain their nature, and show that they were in general use over extensive provinces. The defects of the pancháyat are better known to natives than to us; yet, with all its defects, they hold it in so much reverence, that they say, 'Where the jury sits, God is present.' In many ordinary cases the pancháyat is clear and prompt in its decisions; but when complicated accounts are to be examined, it is often

Popularity of the system clearly proved.

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extremely dilatory. It adjourns frequently; when it meets again some of the members are often absent, and it sometimes happens that a substitute takes the place of an absent member. All this is, no doubt, extremely irregular. But the native government itself is despotic and irregular, and everything under it must partake of its nature. These irregularities, however, are all susceptible of gradual correction; and indeed, even now, they are not found in practice to produce half the inconvenience that might be expected from them by men who have been accustomed to the exact forms of English courts of judicature. They ought not to prevent our employing the pancháyat more than we have hitherto done, because its duties are of the most essential advantage to the community, and there is no other possible way by which they can be so well discharged. The natives have been so long habituated to the pancháyat in all their concerns, that not only in the great towns, but even in the villages, a sufficient number of persons qualified to sit upon it can be found. We ought to avail ourselves of their aid, by extending the range within which the operations of the pancháyat are confined. Its cognizance of all duties within a certain amount, both in the Zillah and district munsifs' courts, should be abolished, and neither party should have the option of declining its jurisdiction. The same rule should hold in all cases tried by the Collector.

Irregularities incident to the system.

Susceptible of correction.

The use of the pancháyat in criminal trials has been recommended by several persons, and amongst others, by a very intelligent judicial officer, who submitted a draft of a Regulation for that purpose. I am persuaded that the measure would be very beneficial, and that, until it is adopted, facts will never be so well found as they might be. The employment of the pancháyat, independently of the great help it affords us in carrying on the business of the country, gives weight and consideration among their countrymen to those who are so employed, brings us in our public duties into better acquaintance and closer union with them, and renders our Government more acceptable to the people.

Pancháyats should be tried in criminal cases.

None of the changes introduced in the customs of the country with the judicial code were better formed for the vexation of the people than the system by which the police was in some districts erected into an establishment by itself,

Evils resulting from the establishment of the police as a separate body.

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and separated from all others. This separation was by many regarded as a great improvement; for it was naturally supposed that the business of the police would be conducted with more regularity and efficiency, by a class of men whose time shou'' be devoted to this duty only, than by any class who had other duties to attend to. But this system, besides being objectionable in many points, had one main defect in not being founded in any of the usages of the country; for no system for any part of the municipal administration can ever answer that is not drawn from its ancient institutions or assimilated with them. The new police establishment resembled in some degree an irregular military corps: it was directed by the Zillah Magistrate: it was spread over the country in small guards, at every town and principal village: it was entirely independent of the district and village local authorities, and subordinate only to its own darogahs and petty officers: it had no common interest with the people: it seldom knew anything of the neighbourhood in which it was stationed, and had no means of discovering offenders but by the village watchers, who had been withdrawn from their ancient masters, the tahsildárs, and placed under its authority for this purpose. It soon learned to make the use which might have been foreseen, of the power which it possessed: it harassed the heads and curnums of villages, by constantly summoning them before it, under the pretext of inquiring into imaginary offences, and often extorted money from them as the price of exemption from this grievance: it often obtained money from some of the more respectable inhabitants, by raising reports of irregularities in their families, and threatening to bring them forward by public investigation: it also got money by releasing persons whom it had threatened to send as witnesses regarding some pretended offence; and its abuse of authority was the more felt from the low rank of its agents, who were in general no better than common peons. This very circumstance of placing the dregs of the people above the more respectable classes was of itself a serious evil, and was regarded by them as an oppressive measure. Such a police had no interest in the peace of the country, because it knew that in tranquil times its services were less wanted, and that its numbers would probably be reduced. Its gains were derived from disturbance, and its importance increased in such

Opposed to the usages of the country. Its defects.

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times, and it was therefore its business to exaggerate every disorder and to keep up alarm. It was altogether a harsh and vexatious system of espionage.

Old village police of the country reverted to.

We have now, in most places, reverted to the old police of the country, executed by village watchmen, mostly hereditary, under the direction of the heads of the villages, tahsildárs of districts, and the Collector and Magistrate of the province. The establishments of the tahsildárs are employed without distinction either in police or revenue duties, as the occasion requires; and it is the intimate knowledge of the inhabitants and of the country which they and the village servants acquire, from their occupation in the revenue, which enables them to discover by whom offences are committed, much more readily than could possibly be done by mere public servants. The village and district servants, as well as the tahsildárs, under whom they act, are deeply interested in the good order of the country, and they have therefore the strongest motives for exerting themselves in keeping the peace.

Inutility of a preventive police.

What is usually called police, can seldom prevent crimes: it can seldom do more than secure the greater part of the offenders. Much has been said and written in favour of a preventive police, but I do not know that the attempt to establish it has ever been successful in any country. When a vigilant police renders detection and punishment more certain, it no doubt acts as a preventive, in so far as it deters from the commission of crime. The only efficient preventive is the improvement of manners, in which the punishment of offences can have very little share. A moderate assessment, by enabling all to find employment and to live, is, next to the amelioration of manners, the best thing calculated in this country to diminish crimes. It is generally found that theft and robbery are most frequent in districts overassessed, and that in seasons of scarcity they become common in districts in which they were before of rare occurrence. Our present system of police is very well suited to its object, and is perfectly equal to all the purposes of its institution, though it is not always so well directed as might be wished. This, however, is not to be wondered at: it arises from our inexperience, and is not to be removed by any new rules, but solely by longer experience. The districts in which plundering and gang-robbery are most prevalent, are some parts of the

Present system of police suited to its object.

Serious crime diminishing in most districts.

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Northern Sircárs, and the crime itself is occasioned by our want of control over the petty native chiefs, and by the vicinity of their unhealthy hills and jungles facilitating the escape of the offenders. Those in which murder and maiming are most common, are Malabar and Canara. In Malabar this is to be ascribed chiefly to the depraved habits of the lower classes of the Mapillas, and in Canara to those of the Siddís, a race as bad as the worst of the Mapillas, but fortunately very few in number. They are the descendants of Abyssinians formerly in the armies of the Mahomedan kings of Bijapur, many of whom rose to the highest ranks in the State and enjoyed extensive jágírs, on which numbers of their countrymen were settled. Those who now remain are chiefly herdsmen or cultivators, and are in general poor. The atrocious crimes of murder and gang-robbery are much less common in districts which have been long under the Company's Government, than in those of more recent acquisition, and are everywhere gradually diminishing.

Chief causes of the prevalence of crime.

The frequency of crimes in most of the countries which have fallen by conquest under the British dominion within the last thirty years, as well as in many of those received from the Nawáb of the Carnatic, does not arise so much from any thing in the nature of the people, as from the encouragement given to every kind of disorder by a long succession of wars, misgovernment, and anarchy. During those times the sovereign power was too weak to restrain the disorders of its tributaries and subordinate chiefs: gangs of robbers were protected by every little chief, and even where they were not protected, they found security, by the number of petty independent jurisdictions enabling them to escape from one to the other. Much was done by the Mysore Mussulman Government to eradicate these disorders; but its duration was too short, and it was too much occupied in foreign war, to have had leisure to remedy them effectually. The gangs which formerly lived by plunder, are now much diminished by death and other causes; but there are still, probably, several thousand men scattered over our territory, whose business from their earliest days has been robbery. These men, and perhaps their immediate descendants, must pass away before robbery as a profession can be destroyed.

Incidental causes which

In estimating the state of crime and the efficiency of the

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police, we are generally guided by the calendars of the Magistrates and Criminal Judges, and the reports of the Circuit Judges. But these documents alone, without the consideration of many other circumstances, will not enable us to form any just conclusion; and even with the greatest attention to every circumstance, it is difficult to arrive at anything like accuracy. Many incidental causes tend to swell the number of crimes at one time more than another—peace or war, plenty or famine, the disbanding of troops in our own or neighbouring countries, the passage through the country of a greater or smaller number of banjáris, who are generally robbers. Besides these, there are causes of an official nature which give a very great increase or decrease of crime when there is little real change. In some districts the Magistrates and police apprehend great numbers of persons on groundless suspicion, or for trivial matters, of which no public notice ought to have been taken.

lead to a temporary increase of crime.

These irregularities arise from the ignorance and the over-zeal of the native servants, or from their carelessness, and not unfrequently from that of the Magistrates. The best way of ascertaining with tolerable accuracy the increase or decrease of crime, would be by a comparison of the number of the higher crimes in periods of ten or fifteen years. If we include petty thefts, or even burglary, we shall be led to an erroneous conclusion; for in this country most of the offences called burglary are little more than petty theft. They do not generally involve housebreaking, but are much oftener confined to the carrying away some trifling article from a hut or house, which is either open or entered without violence. Crimes are, no doubt, sometimes concealed from fear and other causes; but I believe that the number actually committed is usually overrated, and that many of the burglaries and robberies said to have been ascertained, but none of the offenders discovered, never actually took place. If, what is not uncommon in India, eight or ten thieves from a distant province enter a district, and, after robbing a few of the inhabitants or their houses, disappear, an alarm is raised, statements are brought forward of losses which never happened, in the expectation of obtaining a remission of rent, and the Magistrate himself is sometimes too easily led to give credit to these reports, and to represent the district as being in an alarm-

Ignorance and over-zeal of native public servants, and sometimes carelessness of the Magistrates.

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ing state, and to call for an increase to his establishment in order to meet the difficulty; whereas if he had given himself leisure to investigate the reports, he would have found that his district was just in its ordinary state.

We expect more aid from the people in bringing criminals to justice than we reasonably can expect.

From the first introduction of our judicial regulations, the people of the country have been accused, both by the Magistrates and Judges, of not sufficiently aiding the police. The complaint of offenders escaping, because people do not choose to appear as prosecutors or witnesses, from indolence, apathy, or distance, is common to all countries, and is as little chargeable to India as to any other. I believe that if the matter were fairly examined, it would be found that the police derives much more gratuitous aid from the people in this country than in England; but we expect from them more than ought to be required in any country. As the Mahomedan law officers in criminal trials rejected not only the evidence of the police, but of all public servants, it was thought advisable to remedy this inconvenience by making two or more of the most respectable inhabitants of the village, to which any criminal was brought for examination, attest the depositions, in consequence of which they were obliged to make two journeys to the station of the Zillah Court; and many of them were obliged to perform this duty twice a year, because, the better their character, the more likely they were to be called upon as witnesses. They often complained of this heavy grievance; but it was not till lately that they were exempted from it, as it was considered by most of the Judges as a duty which they owed to the public, and were bound to perform. The performance, no doubt, facilitated the business of the Judge with the Mahomedan law officer; but it was certainly most unreasonable to expect that a respectable shopkeeper or merchant should be always ready to leave his house and his own affairs, and to undertake an expensive journey about a trial in which he had no concern, merely for the sake of public justice. Many of the Judges have, however, done justice to the character of the people in their support of the law, and stated that they have of late shown great alacrity in the preservation of the peace of the country and gallant behaviour in attacking robbers.

We should be careful that our police arrangements

We should be careful that, in our anxiety to form an efficient police, we do not sacrifice the comfort of the people, and establish a system of general vexation and oppression.

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There is nothing by which we are so likely to be unintentionally led into systematic vexation, as by schemes of police, registering the inhabitants of villages, making them responsible for each other, dividing them into classes to keep alternate watch, making them account for their absence, etc., etc. All these are fond imitations of the Saxon tithing; a system well enough calculated, in an ignorant age, among a poor and scanty population, to ensure peace and personal safety, but calculated at the same time to check every improvement, and to perpetuate poverty and ignorance, and utterly unsuitable to a populous and wealthy country. In countries which have attained any degree of civilization, it is always found best to provide for the police at the public expense, and to leave the people at perfect liberty to pursue their several occupations without any restraint, and without any call upon them for police duties.

do not cause general vexation and oppression to the people.

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ON THE APPOINTMENT OF MAHOMEDAN AND HINDU LAW STUDENTS AT THE COLLEGE TO THE POST OF DISTRICT MUNSIF.

4th January, 1825.

Recommendation of the College Board that the office of district munsif should be filled by the appointment of passed students of the college.

The College Board, in their letter of the 7th ultimo, state that there are now fifteen Mahomedan and five Hindu law students in the college, who have obtained certificates of qualification for the situation of law officers in the judicial courts; that the services of the students are at present unimportant, and that their prospect of promotion from the abolition of some of the courts and other causes has become distant; and in order to remedy this inconvenience, they propose that instructions be given to the Zillah and Provincial Courts to apply to the Board of Superintendence, to recommend fit persons for the situation of district munsif, whenever candidates of superior qualifications may not be found in the provinces; and that the recommendation of the Board should be limited to persons holding certificates in the Form A of Reg. V. of 1817. As a further argument in favour of this measure, it is observed by the College Board that the students, from their sound knowledge and acquaintance with the Regulations, are peculiarly qualified for the administration of justice.

Proposal inexpedient.

I confess that I do not see this scheme in the same favourable light as is done by the college; and as I think that no established rule should be abolished, or new one adopted, unless it is made clear that some advantage will result from it, I am entirely against the proposed change. If it were adopted, it would certainly quicken the promotion of the students and improve their situation; but I doubt if it would equally improve the administration of justice in the country. It is the nature of every public body, when not

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vigilantly watched, to endeavour to extend its authority and influence; and the college would gradually, under the cover of the new rule, acquire virtually the whole of the native judicial patronage. The limiting of recommendations to persons holding certificates in the Form A would answer very little purpose, except to facilitate the obtaining such certificates. There never would be a want of them when it was found that they were so useful in procuring employment; they would insensibly lead to much intrigue, and to the throwing into the hands of the native teachers at the college the nomination of all the district munsifs.

Other qualities besides a knowledge of law requisite for district munsifs.

The knowledge of law and acquaintance with Regulations acquired by the college students, are no doubt valuable attainments, but they are not alone sufficient to render a man fit for the situation of district munsif. They will not compensate for the absence of good character, of habits of business, of application, and of sound judgment, and a knowledge of local habits and customs. The instruction received at the college is better adapted to qualify men for the duties of law officers and pleaders than for those of district munsifs; and the college has already sufficient control over the appointment of all law officers and pleaders, as without their certificate no person can be nominated to any of these offices. If, as supposed, the Zillah and Provincial Judges should at any time be unable to find persons fit for the situation of district munsif, they have it always in their power to look for them among the authorized vakíls, but especially among those who hold certificates in the Form B; and if among such persons, having either no employment or earning less than district munsifs, the Judges do not make a selection for the vacant office of district munsif, it is to be inferred that they have found other men who are better qualified.

The selection of the Zillah Judge should be unfettered.

The monopoly of the college over the appointment of law officers and vakíls is already sufficiently great, and ought not to be extended over any other class of judicial servants. There should be no privileged body having the exclusive right of furnishing district munsifs. The whole population ought to be left open to the choice of the Zillah Judge. The college certificate will always on such occasions have its weight, but it ought not to outweigh higher qualifications in the man who has no certificate.

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ON CALLING OUT THE MILITARY IN AID OF THE CIVIL POWER.

15th March, 1825.

General rules should be laid down in regard to requisitions by the civil authorities for military aid.

The duty of preserving the peace of the country being committed to the civil Magistrate, he is necessarily vested with authority to call out the military force of the district whenever it becomes necessary for that purpose. This power is liable to abuse from ignorance, rashness, and over-zeal, which it has hitherto been found difficult to remedy. Orders in particular cases have been issued by Government; but they have never been sufficiently comprehensive to meet the evil. This is to be attributed to the impossibility of providing for every case by any general rules, and to the difficulty of restraining the exercise of the power without the risk of rendering the civil authority in calling for aid, and the military officer in affording it, too slow and cautious, where promptitude and decision are urgently required. But though rules cannot be laid down for every contingency, they may be made so as to answer almost every case that is likely to happen.

Such requisitions should only be made on clear grounds of necessity.

The first and most important rule is, that no civil authority shall call out troops until he is convinced, by a mature consideration of all the circumstances, that such a measure is necessary.

Rules to be observed.

When he is satisfied of the necessity of the measure, he should, before carrying it into execution, receive the sanction of Government, whenever the delay requisite for this purpose is not likely to prove detrimental to the public interests.

When he deems it unadvisable to wait for the orders of Government, he should address his requisition for troops, not to any subordinate military officer, but the officer com-

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manding the division, to whom he should communicate his object in making it, and all the information he possesses regarding the strength and designs of the enemy. His duty is confined to these points: he has no authority in directing the military operations.

The officer commanding the troops has alone authority to determine the number and nature of those to be employed, the time and manner of making the attack, and every operation for the reduction of the enemy.

Whenever the officer commanding the division may think the troops at his disposal inadequate to the enterprise, he should call upon the officer commanding the neighbouring division for aid, and report to Government and the commander-in-chief.

No assistant or subordinate Magistrate should call out troops. When he thinks that such aid is necessary, he must refer the matter to his superior, the principal Magistrate of the district.

In extraordinary cases, civil and military officers must exercise their discretion.

These rules should be observed wherever it can be done without danger to the public safety. Should some extraordinary case occur, which admits of no delay, civil and military officers must then act according to the emergency and the best of their judgment; but such a case can rarely happen, unless where the enemy become the assailant. In some cases the leaders of insurrection become alarmed and abscond, and in others they submit without the presence of a military force. In many cases insurrection is insulated and confined to a village, and there can hardly ever arise a case in which there will not be time to proceed in the regular way to call out the troops, by the requisition of the principal civil Magistrate of the province to the officer commanding the division.

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REDUCTION OF ZILLAH COURTS.

20th January, 1827.

Certain measures recommended by Court of Directors in connection with the judicial establishments of the Presidency.

I HAVE considered with attention the letter from the Honourable the Court of Directors in the Judicial Department, dated the 11th April, 1826. Some of the measures recommended in this letter may be immediately adopted with advantage; but there are some which it would not be advisable to adopt, and others which it may be found useful to introduce hereafter, when the system is more consolidated and better understood, but which it would be inconvenient to carry into effect at present.

Abolition of certain Zillah Courts was not hastily resolved on.

The Honourable Court, after noticing the abolition of the Zillah Courts between February, 1821, and March, 1823, observe that the local and superior judicial officers should have been required to report their opinion before measures of such extreme importance were decided on. The abolition was not hastily adopted. It had been frequently discussed among the Members of Government, who were unanimous in their opinion regarding its expediency. Had the Members of Government been men of little experience and unacquainted with the operation of the judicial system, I should undoubtedly have thought it necessary to make a reference to the judicial officers; but Mr. Stratton and Mr. Thackeray, the two Civil Members, were, from their general knowledge of the services and experience in the judicial line, at least as competent as any of the local officers to form a just opinion on the subject under consideration; and to have waited under such circumstances to collect opinions from every quarter, would have been a mere waste of labour. There are some cases in which it is useful to have the opinion of every local officer; there are

others in which that of only one or two of the most intelligent can be of the smallest use, and there are some in which none is necessary. I considered the present to be a case in which Government could have derived no aid from other opinions in forming its own; for it possessed in itself as extensive a knowledge of the localities of every district under this Presidency, and of the character and customs of the inhabitants, as could have been obtained anywhere else; and as it had before it the periodical returns of the business done in the several courts, it was enabled, by observing what was done in some of the larger and more populous zillahs, to determine how far some of the smaller ones might be united, without detriment to the due administration of justice.

Judicial officers were not likely to recommend such resolutions.

It is obvious, too, that on such a question as that of the reduction of the number of zillahs, an impartial opinion could hardly have been expected from the judicial officers. They must be supposed to be, like other men, favourable to the branch of service to which they belong; and, however conscientious, they may be liable to be influenced, without being sensible of it, by their wishes and their interests. Had the number of Zillah Courts been double or even treble of what it actually was, I am satisfied that not a single reduction would have been recommended.

Petitions against abolition of courts generally of little weight.

Petitions against the abolition of the Courts are in general of little weight. They prove nothing against the measure; they arise out of partial local interests. In whatever town or village a Zillah Court is established, it is beneficial to the inhabitants, not only for the sake of justice, but because it adds to the value of their houses and other property, and gives them additional employment and a better market for their produce. The removal of the Court will of course be a loss to the inhabitants of that place and its neighbourhood, and produce petitions. But the same thing would happen if the Court were not reduced, but removed, within the same zillah, from a small town to a larger one, more conveniently situated for the population of the whole zillah; or even if, on removing the Court, two Courts instead of one were established in the same zillah, the inhabitants of the place from which the Court had been removed, would still complain. Had the Courts been originally three times as numerous as they were, the reduction of any one of them would have produced petitions.

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Government cannot act upon such petitions, but must look to the wants of the whole country, and be guided by them in distributing the Courts.

Reduction in number of Courts based upon experience of their working. Not connected with establishment of Sub-Collectors.

On the introduction of the judicial system the Courts were established at once, without any previous knowledge of the number that would be requisite. It was soon discovered that there were too many, and several were reduced. Longer experience showed that the business of some Courts was much less than that of others; that the business of all had been considerably diminished by the operation of the Regulations of 1816, and subsequent enactments; and that a further reduction could be made without inconvenience, and without imposing upon the Courts more labour than they formerly had. It was upon this ground that the reductions from 1821 to 1823 were made, and it is to be regretted that any expression in the Minute proposing them should have led the Honourable Court to think that they were connected with the establishment of Sub-Collectors. There was no connection between the two measures. The Sub-Collectors would have been appointed, had there been no Courts to reduce, and the Courts would have been reduced, even if there had been no intention of appointing Sub-Collectors. But it was regarded as a satisfactory circumstance, that, while we were increasing the expense of one branch of the service, we could lessen that of another without impairing its efficiency. If we compare Bengal and Madras with respect to their relative extent of territory and amount of revenue, property, and population, and if we take into account the relief which the Madras Zillah Courts have derived from the Regulations of 1816, I believe it will appear that Madras has as large a proportion of Zillah Courts as Bengal.

Liability of persons to travel long distances to the Courts sometimes unavoidable.

The Honourable Court have quoted some reports of judicial officers regarding the great distance which witnesses have sometimes to travel. A case is stated in Canara, in which some of the witnesses resided at the distance of 200, and others of 260, miles from the Zillah Court. Mangalore, the court station, is about fifty miles from the southern extremity, and 160 from the northern extremity of Canara, and about 210 from the most distant part of Súnda. There was a Zillah Court at Honáwar, which was abolished many years ago

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by a former Government; and had the remaining Court been then transferred from Mangalore to Kundapur or Bárkur, where the Collector's cutcherry was for some years—it would have been equally distant from the northern and southern points of Canara—it would have obviated, as far as regards distance, every material inconvenience which has been since experienced. Canara is a long narrow tract of country, not more than twenty or thirty miles in its average width; and Súnda, which is situated above the Ghâts, is almost an entire jungle, thinly peopled and very unhealthy. In such districts therefore as Canara and Súnda, the partial evil of distance cannot be removed without giving to them more Courts than the amount of their population and property requires. The pressure of business in Canara is much greater than in any other zillah, and has frequently engaged the attention of the Board, and though I have little doubt that it grew out of the misconduct of the Court at a former period, yet I am convinced that it can now be remedied only by the aid of an Assistant Judge. A case is brought forward as one of great hardship in Chicacole, where some ryots travelled three times from Aska and Gumsur to the Zillah Court, making a distance of a thousand miles. These are evidently extreme cases which seldom happen. Gumsur is a remote, unhealthy hill zemindári, over which our Courts have a very imperfect authority.

Such liability not peculiar to India. In India distance of the Court not so much a cause of complaint, as the uncertainty of the period of detention at the Court.

These complaints are not peculiar to this country. In all countries we have the same, or perhaps greater, aversion of prosecutors and witnesses to attend the Courts and leave their homes and business, and the same complaints of distance and detention. In many of our old zillahs the Court station was not central, but at one extremity of the district, like Masulipatam. It would be a useless multiplication of Courts to attempt to bring every remote corner of a district within a limited distance of them. The people of India, both from habit and climate, attach much less importance to distance than we do. They travel at little expense, as they pay nothing on the journey for their accommodation. They would no doubt rather travel forty or fifty miles to a Court than eighty or a hundred; but it is the leaving their homes, and the time they are to be absent from them and their business, which they think most of. A man who has to go

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fifty miles knows that he can reach the court in two or three days; if a hundred, in as many more. But he can form no guess of how long he will be detained there. It may be one, two, or three weeks, or as many months; and it is this which they chiefly complain of, and from which no increase of courts could afford more than a very trifling relief.

Small proportion of cases taken to the Zillah Courts evidence of the superior popularity of the munsifs' courts.

It is observed by the Honourable Court, that, as the average of suits instituted in the Zillah Courts did not exceed the value of 175 rupees, most of them might have been carried to the district munsifs, had the parties wished it. It is not easy to ascertain the motives which may have led to this preference. In some instances it may have been the belief that the cases would be better examined in the Zillah Court: in others it may have been the contrary. The character of the Court, and the case being a plain or intricate one, would often influence the suitor in his choice of a Court. In many cases recourse was no doubt had to the Zillah Judge, because the suitors resided in the town which was the station of the Zillah Court. But one thing is clear, that, as all causes coming before the district munsif might have gone to the Judge, and as so small a proportion of them did go, the munsif's court is much more popular than the Zillah Court. It cannot be denied that the abolition of the Zillah Courts was attended with inconvenience, from the loss of the services of the Sadr amíns; but it was soon remedied by the appointment of additional munsifs.

Apprehensions of Court of Directors as to increase of crime unfounded. Government in the Madras Presidency brought by the ryotwár system into direct intercourse with the people.

It is apprehended by the Honourable Court, that when, in consequence of the late reduction of the Zillah Courts, 'access to justice becomes very difficult, crimes are winked 'at or compromised; prosecutions are prevented; information 'is suppressed, and acts of fraud and violence, scarcely less 'terrible to the community in their commission than in their 'discovery and its consequences, must necessarily increase, 'although the Government may not be aware of the sufferings 'of the people.' There is no cause, I think, for the apprehension here expressed. When, at an earlier period, several Zillah Courts were reduced, and Cuddapah and Ballári, each more extensive than any of the enlarged zillahs, were left with one Zillah Court each, no such apprehension was entertained, and no such consequences followed; and there is no reason to believe that they were more likely to follow in the

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recently enlarged zillahs. Crimes have not increased; they are gradually diminishing, and will continue to diminish. If the Honourable Court suppose that crimes can be prevalent without the knowledge of Government, or that the sufferings of the people can be concealed from it, they have formed an opinion of the state of things under this Presidency which is far from being correct. There can hardly be any crime, and there can be no suffering of the people, concealed from Government. There may be a very few exceptions in some of the hill zemindáries, where the authority of Government scarcely reaches; but in all other districts the detailed nature of our internal administration, and the innumerable body of ryots who hold their lands immediately of Government, bring us into such universal and direct intercourse with the people, as to preclude the possibility of their sufferings being concealed from us.

No reason to apprehend extensive abuse of authority by the village munsifs. Experience shows that their tendency is rather to avoid exercising the authority with which they are invested.

It is remarked by the Honourable Court that the village munsifs, estimated to amount to fifty thousand, are vested with much uncontrolled power, and are subject to great temptations, which too many of them are unable to resist; that the fear of prosecution in the Zillah Courts was a useful check upon them, and that the late reduction of Courts will remove this check. This opinion is not supported by any experience we have yet had. The village munsifs are so far from abusing their power that very few of them act at all. Their dread of being summoned on some false complaint or other to the Zillah Court is so great, that most of them avoid exercising the authority entrusted to them. This unwillingness was foreseen at the time the Regulation was passed, but not to the extent it has since been found to exist. Had they been left, according to ancient usage, responsible in the first instance only to their tahsildár, they would in general have discharged the duties of the petty jurisdiction assigned to them; but their fear of the Court is so great, that only a small portion of the more intelligent venture to act at all. The abolition of the Courts has not made them more confident, and it will yet be a very long time before they acquire confidence sufficient to enable them to become so useful in their subordinate station as they ought to be.

Number of appeals from decisions of

It is stated very justly by the Honourable Court, that in order to form a just estimate of the merit due to the

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munsifs, in comparison with number of appealable cases, very small.

district munsifs from the small proportion of appeals made from their decisions, we ought not to compare the number of appeals with the number of decisions, but with the number of suits appealable, and that if this were done the result would be less favourable to the munsifs. It is also remarked that many appeals are prevented by expense and other obstacles. But this, surely, is not peculiar to the munsifs more than to the Zillah and Provincial Courts? Even if we take only the appealable suits, the proportion of appeals will still be so small as to be very creditable to the munsifs. The records of the Government office do not supply the information required, as they do not distinguish between the suits above and below twenty rupees; and as it would take a considerable time to get it from the provinces, it will suffice for the present purpose to exhibit the returns which I have obtained from two of the nearest zillahs, Combaconum and Cuddapah.

		No. of suits of twenty rupees and upwards instituted in the district munsif's court.	No. of suits settled by rázínámah.	No. of such suits decided on the merits.	No. of such suits decided and appealed to the Zillah Court.
Combaconum	1825	1764	491	640	57
	1826	1620	491	618	37
Cuddapah	1825	—	—	—	—
	1826	1357	455	653	23

Power vested in munsifs of disposing of suits for sums under twenty rupees without appeal, has not been abused, and should not be withdrawn.

There is, I think, no sufficient foundation for the supposition that great abuses are practised by the district munsifs in the decision of suits under twenty rupees, from their not being appealable. Their proceedings are public, they are known to the whole district; and were they unjust, their courts would soon be deserted, and their fees would be lost. The cause of this would soon be known to the superior court, and they would be dismissed from office. The Collectors and Magistrates can take up complaints against them, and as they have every facility in learning the conduct of the munsifs towards the inhabitants, it is impossible that abuse of authority in giving unjust decisions can long remain undiscovered. Suits under twenty rupees can hardly afford a bribe to corrupt the munsif, and it is very improbable that

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the trifle which could be given, should ever, except in very rare cases, tempt him to sacrifice his place and all his prospects in life. The district munsifs are disliked by the servants of the Zillah Courts, because they carry off much of their former business; and they are still more disliked by the tahsildárs, because they exercise a new authority in the district superior to theirs, and occasionally summon them before them. It was therefore apprehended that, unless the munsifs were strongly supported and guarded from all unnecessary interference, as far as it could be safely done, they would meet with so much counteraction and opposition as would render them quite inefficient. It was with a view of giving them weight and character among the people that it was thought advisable to vest them with authority to decide, without appeal, suits under twenty rupees. This measure has answered the expectations entertained of it. The munsif courts have now acquired the confidence of the people, and are eagerly resorted to by them. But though they are now so firmly established as not to require the same support as at first, and though their authority might not be shaken by making suits not exceeding twenty rupees appealable, such a change would, I think, be highly inexpedient, as it would only tend to multiply business without any adequate advantage, and as it is impossible that the present exemption of petty suits from appeal could be materially abused by the munsifs without complaint and discovery; and as no such complaints have yet appeared, I am of opinion that the present system ought not to be disturbed. Should any evil be found to arise from it on future experience, Government has the remedy in its own hands, and ought then to apply it, but not before.

Among the evils supposed to have been occasioned by the consolidation of Zillah Courts are the diseases, and even loss of life, to which prisoners are said to be exposed by being sent from the hilly parts of Rajahmundry to the jail at Masulipatam. I regarded this statement, at the time it was brought forward, as undeserving of attention, and as being founded in prejudice in favour of a favourite medical station and in a want of due investigation. Government has often had cause to question the correctness of medical theories respecting the health of prisons. They are often

Unhealthiness of particular jails exaggerated.

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at variance with each other. A prison is said to be unhealthy because it is too little ventilated, or too low, or too much exposed; while, after all, the unhealthiness is merely casual, and originates in causes not known, and perhaps affects the habitations of the people and the barracks of the military, as much as the prison. I doubt the authority both of the medical officer and the Fonjdári Adálat, when they tell us that prisoners confined at Rajahmundry cannot be removed to the sea-coast without danger to their lives, more than those apprehended in the neighbouring districts. In every district under this Presidency, except Tanjore and the Jagír, there are unhealthy hilly tracts as well as in Rajahmundry; yet it has never been thought necessary to have particular prisons for the offenders from such tracts in these districts. The district of Rajahmundry is in general open; the population among the hills is very small. The great mass of the people and Rajahmundry itself are in the open country. Ganjam and Vizagapatam are both more hilly and unhealthy than Rajahmundry, and yet no objection has ever been made to bringing prisoners from the interior of these districts to the court. The hill districts of Masulipatam are as unhealthy as those of Rajahmundry; they are mixed with each other. The hill inhabitants of the one are sent without hesitation to Masulipatam, on the seashore; but the hill inhabitants of the other, it is said, can only with safety to their lives be sent to Rajahmundry. The real hill inhabitants —those who actually reside upon the hills—are very few, and they would probably suffer from confinement in any jail. But the people who fill our jails, are those of the plains and of the valleys among the hills, and they are so much the same race that no line could possibly be drawn so as to distinguish which of them should, for the sake of health, be sent to one jail, and which to another.

Some bad cases of extortion of confession have occurred. This offence, however, is often falsely charged.

The Honourable Court have animadverted at considerable length, and with just severity, upon the conduct of the native police officers in extorting confessions from prisoners, and they specify some very atrocious cases, among which are the murder of a man by a peon in endeavouring to extort confession, and the maiming of a prisoner by a potail in torturing him for the same object. In both these cases, however, it is satisfactory to know that the offenders were convicted and

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punished—one capitally, and the other with two years' imprisonment and hard labour. The Judge who reports, fears that cases of forced confession are too common, even among the officers of Government, but observes that the proof is difficult. When violence really takes place, the proof cannot be difficult; but I believe that in a great proportion of the cases where it is charged, none has been used. It is much more general in Malabar and Canara than in other zillahs; and the difference is probably owing to the people of Malabar and Canara still retaining much of the turbulent and vindictive character which they acquired while divided into petty States, and little restrained by any regular authority from exercising acts of outrage on each other.

Practice of extorting confessions attributable to the habits of the people. Complaints on the subject must be received with caution.

It is, no doubt, too certain that many irregularities are used in obtaining confessions, and that in some instances atrocious acts are committed. But when we consider the great number of prisoners apprehended, and the habits of the people themselves, always accustomed to compulsion when there is suspicion—how difficult it is to eradicate such habits, and how small the proportion of cases in which violence has been used is to the whole mass—the number of these acts is hardly greater than was to be expected, and is every day diminishing. The prohibition against forced confessions is known to all the native police officers, and it seems extraordinary that they should ever employ force; for they know that they have much to lose and nothing to gain by such conduct. But some of them, in spite of every injunction to the contrary, when they believe that a prisoner is guilty, think it right to extort confession. Police officers in general, however, will not gratuitously expose themselves to loss of place, and their families to ruin, by such conduct. Prisoners are sometimes hurt in attempting to escape, and notorious offenders are sometimes roughly treated by the villagers who assist in securing them. The marks thus caused are sometimes exhibited as evidence of extorted confession. Wherever there is proof of force having been used for such a purpose, the police officer should be invariably punished and dismissed from the service. But great caution is necessary in believing the accusation of force. It should always be very clearly established, before it is entitled to credit. Police matters are so public that the charge of violence, when true, can hardly

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be concealed. There are two things in which there is constantly very great exaggeration: the number of persons concerned in a robbery, and the number of extorted confessions. Only a small part of the alleged cases of extorted confessions are ever substantiated. The Circuit Court say that the proof is difficult; I believe that, when true, the proof is easy, and that the difficulty lies in by far the greater part being unfounded. The charge is easily made, and the effect of its receiving belief from the Court of Circuit is so generally known, that offenders very frequently bring it forward in some stage of the trial. It is a point which demands the greatest possible circumspection on the part of the Magistrate. If he lets the person escape who has been guilty of extorting confession, he encourages one of the worst offences against the administration of justice; if he punishes the police officer charged with this offence in only a very few instances on false evidence, he will effectually deter the whole body from the zealous exercise of their duty, and let loose a host of robbers upon the community. No number of Zillah Courts would prevent the excesses complained of among the native police. Were we to double the number, it would have no effect in restraining them. They can only be checked and effectually put down by the vigilance of the magistrates; by never letting them pass unpunished; by the police officers finding from experience that they never could gain anything from the use of force, but would certainly suffer disgrace and punishment, and by time working a change in their habits.

Police irregularities more difficult of concealment under present organization than previously.

The irregularities committed by the police are now much more difficult of concealment than when the officers of Zillah Judge and Magistrate were united in one person, confined to a fixed station; and though too many of the police officers are still frequently guilty of such irregularities, yet the conduct of the great body of them is highly useful and meritorious, and its effects are becoming every day more evident in the increasing tranquillity of the country and the gradual diminution of organized bands of robbers. The amelioration, though occasionally retarded by the misconduct of local officers, continues to advance, and is gradually diminishing the number of crimes.

System of training needed for

The cruelties reported by the Circuit Judge to have been inflicted on certain inhabitants by the Párbátti and Kolkárs in

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Malabar were investigated by the Collector, and found to be without proof. The observation quoted from the report of the Board of Revenue as to 'the ryots not being in that state of 'ease and security which the justice and the liberality of the 'British Government mean to place them,' was made by the Board from perceiving that the Courts could give no effectual security to the great mass of ryots from the exactions of the village and district officers. The subject had frequently, during a long course of years, been brought to the notice of Government, and as it was manifest that the evil could only be remedied by empowering the Collector to enforce the summary restitution of all such illegal exactions, Regulation IX. of 1822 was enacted for that purpose. It is not more Courts that we want for the protection of the ryots from exactions, and of the inhabitants in general from theft and robbery, but more systematic experience, and consequently more aptitude among our local officers, both native and European, for the discharge of their several duties. I therefore entirely agree with the Honourable Court, that a system of training is as necessary in the judicial as in the revenue line, and that an intermediate class of functionaries, similar to that already established in the revenue, should be introduced into the judicial department. I have long thought that some of the senior Registrars should receive higher allowances and extended jurisdiction, but the appointment of Assistant Civil and Criminal Judges is a much better measure.

the judicial, as well as for the revenue, branch of the Civil Service. Appointment of Assistant Civil and Criminal Judges advisable.

I think that five Assistant Judges will be sufficient for every object. Canara is the district in which an Assistant Judge is most wanted. The pressure there has frequently been the subject of deliberation at the Board, and of correspondence with the Sadr court. Next to Canara, the want of an Assistant Judge is greatest in Malabar; and after Malabar, the district which at present most requires help, is Cuddapah. But I imagine that the pressure there is only temporary, that it has arisen in a great degree out of the disorder caused by the famine in 1823-4, and that it will soon cease. Salem, both from its great extent and population, ought to have an Assistant Judge, either at Coimbatore or any other convenient station. Masulipatam, for the same reasons, should have an Assistant Judge; but I am not sure that it may not be advisable to transfer the Zillah Judge to Rajahmundry, and

Five such appointments will suffice.

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station the Assistant at Masulipatam. The towns both of Rajahmundry and Masulipatam are situated on the extremity of their respective districts, but Rajahmundry is centrical to both.

Objections to Zillah Judges holding sessions at different places within their zillahs.

Some advantages might result from carrying into effect the suggestions of the Honourable Court regarding the Zillah Judges holding alternate sessions at different places within the zillah, but I imagine that they would be at least counterbalanced by the inconveniences which would attend the measure. The visiting and inspecting of the district munsifs by the Zillah Judge might be useful; but, on the other hand, the general progress of business would probably be retarded by his absence from the court station, by the time spent in travelling, and by the partial hindrance of the munsifs while engaged with him. The same object might perhaps be attained by his sending occasionally for such of the munsifs as most appeared to require instruction, and employing them for a time under his own eye at the court station. His travelling for the purpose of learning the state of the police and hearing complaints against it, and communicating his information to the Magistrate and the Provincial Court, would do no good, and might often lead to inconvenient interference, by diverting his attention from the duties more properly his own to those which did not belong to him. It will be much safer to leave the supervision of the police to the Magistrate and the Court of Circuit. Before coming, however, to any final resolution on the question of the Zillah Judge visiting the stations of the district munsifs, it may be advisable to refer it for the opinion of the judicial department.

Question of allowing fees on suits to district munsifs.

The Honourable Court are apprehensive that the allowing fees to the district munsifs 'may have conduced rather to the 'quick dispatch, than to the satisfactory adjustment of the 'business before their courts;' and they observed that the number of suits appealed should be contrasted with the number of appealable, before it can be proved that their proceedings are of a satisfactory character. We have not, as already stated, before us the documents required for making this comparison; but it is sufficiently evident from the continued resort of the people to the courts of the district munsifs, that their decisions are in general satisfactory.

Fees on suits under ten

As the Honourable Court disapprove of the abolition of fees

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on suits under ten rupees, which was done with the view of leaving no inducement to the district munsifs to use any undue means for drawing such petty suits into their own courts, and as the abolition of the fees does not appear to have had any material effect in any way, it seems proper that they should be restored.

rupees should be restored.

Rate of fee should be reduced.

In order to encourage the district munsifs, not only to dispose of their business without delay, but also to weigh maturely the merits of each particular case, the Honourable Court recommend that their payment by fees should be abolished, and that they should receive a salary somewhat higher than the average amount of their present salary and fees together; and that 'no suit instituted in a district mun-'sif's court should be subjected to a higher fee than 2½ per 'cent.,' which reduction, they expect, will bring a large addition of business into the district munsif's court. I do not think that the reduction of the fee to 2½ per cent. would increase the business in the district munsif's court, because I am convinced that all now goes there that would go, even if there were no fees. The business in these courts is more likely to diminish than to increase. Some of the munsifs already complain of having too little business. It does not appear, therefore, to be necessary to give them a salary in place of fees to enable them to weigh cases more maturely. Such a plan may be proper at a future period, but not for many years. It is not suited to the present habits and opinions of the people. The munsif system is both popular and efficient, far beyond every expectation that was formed of it, and is becoming more so every day. It is better not to disturb it, but to let it go on as at present, until it shall have acquired more firmness by time, by the improved judicial knowledge of the munsifs, and the increased respect of the people. If the fee should have a tendency, in some cases, to stimulate the munsif to too hasty decision, it is to be recollected that this is checked by the fear of suitors not coming to his court. If his decisions were wrong, either from haste or any other cause, the people would soon discover it, and carry their suits to the Zillah Court, if they could not be settled in the village. If the business were in any case actually too great for him to get through properly, the inconvenience could always be easily remedied by appointing an additional munsif. But, though I do not think it

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safe to shake the public confidence in the munsif system by so great an innovation as the substitution of salary for fees, I highly approve of the recommendation that the fee in the district munsif's court should not exceed 2½ per cent. I think, however, that it would be more convenient to make the fee half an anna per rupee. The difference is trifling, and the calculation would be more easily understood by the poorer classes of the people. The charge of half an anna is so light, that it may be adopted for every sum cognizable by the district munsif. The decrease of receipt which will be occasioned by the lowering of the fee should be borne by the Government, and it should in no way affect the income of the munsif, who should continue to receive, as at present, one anna per rupee.

Higher class of native judicial office needed.

The granting rewards to meritorious munsifs and to head police officers for exemplary discharge of their duty, as recommended by the Honourable Court, will no doubt be productive of considerable public benefit, and ought therefore to be carried into effect. It does not appear to be necessary to attach higher allowances to certain districts in each zillah, in order to reward extraordinary merit in munsifs, by appointing them to them. In almost every zillah there are at present one or two munsif districts, in which the allowances from fees are considerably higher than in the rest, and to which the more meritorious munsifs may be nominated as vacancies occur. It is not so much an addition to the pay of the munsifs, as a higher class of native judicial office, that we want. I have frequently thought that in each zillah one, or in some cases two, native judicial officers might be invested, not only with civil, but with criminal jurisdiction, and be placed over a large district, somewhat in the same manner as is now proposed with regard to Assistant Judges. Such an office would give great respectability to the native Judicial Department, and would encourage the exertion and secure the services of men of integrity and talent in the administration of justice. The subject, however, requires too much consideration to be hastily adopted; but I shall endeavour at some future time to submit to the Board some proposition regarding it.

Control of the Magistrates and of

The Honourable Court are of opinion that, as individuals who may have suffered wrong from the Magistrates or the

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police have no means of appeal against their proceeding during the periods when the Judges of the Provincial Courts are not on circuit, the Judges of the Provincial Courts should have the same authority as the Judges on Circuit now have, to receive and pass orders on petitions against the Magistrate and police officers; that the Magistrate should transmit monthly a statement of all petitions against the police officers to the Provincial Court; and that the control of all the criminal and police proceedings of all the local authorities should be immediately in the hands of the Judges of the Provincial Courts. I apprehend that the alterations here proposed would, if carried into effect, produce more harm than good. There is hardly any case, I believe, except that of the vagrants or persons of bad character confined on suspicion, in which the interference of the Provincial Court could possibly afford any relief. In other cases the term of imprisonment would have expired, and the prisoner would have been released, before the Court could receive the petition, make the necessary inquiry, and communicate their orders to the Magistrate. The release of vagrants and suspicious characters would with more advantage be left, as it now is, to the Magistrate and Circuit Judge; no possible benefit could in any case be derived from the interference of the Provincial Court which could compensate for the inconvenience which it would produce. The Magistrate's own character, the reports of his conduct by the Circuit Judge and the Fonjdári Adálat, and the danger of his being removed from his office by Government, are all securities against his committing any act of oppression in the interval between the departure and arrival of the Circuit Court. I am therefore of opinion that no change ought to be made, but that if any be made, it ought to be, not by giving any new power to the Provincial Court, but by authorizing the Circuit Judge to pass orders on petitions from every zillah within his range, during the whole course of his circuit, without any reference to the particular zillah in which he may be at the time.

the police should be vested in Government, and not in the Provincial Courts.

The control of the Magistrates and of the police ought not, I think, to be in the hands of the Provincial Court. The proceedings of both are already sufficiently under check, and to multiply checks would only tend to embarrass the operations of the police; and to divert the Provincial Court from

Multiplication of checks inexpedient.

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their proper business without producing the smallest increase of real control. The Magistrates are entrusted with the direction of the police; all charges against them are cognizable by the Court of Circuit, and, when necessary, are referred to the Sadr Adálat and to Government, and the Government ought to reserve to itself as much as possible the immediate control of the Magistrates. By delegating it to too many intermediate authorities, it becomes more circuitous and less efficient, and will augment rather than lessen the business of Government.

Judicial establishments must be framed with a due regard to economy.

I have not hesitated, in the course of this Minute, to avail myself of the permission of the Honourable Court to dissent from their opinions where I could not agree with them. The Court do not seem to be acquainted with the change which has taken place, and which is still going on, in the character of the people and the state of the country, from the operation of the courts, of a standing army, and of a strong government. They reason, throughout their dispatch, as if the reduction of certain Zillah Courts had left such zillahs unprotected by law, instead of being, as they were when incorporated with other zillahs, from the effects of the munsif system, of the Magistrate's increased jurisdiction, and of other causes, as much protected by the Zillah Court and as completely under its control as they were in their separate state when first established. It is unquestionably the duty of Government to establish all judicial courts that may be necessary for the due distribution of justice; but it has also another duty, not to waste the resources of the country in useless and expensive establishments. The judicial establishments of this Presidency were at one time on a scale of extravagance far beyond that of any other country, or what the resources of any country could maintain. They have since been reduced at different times, and are now at a standard more proportionate to the wants of the people; and any temporary pressure which may arise, will be easily relieved by the appointment of an Assistant Judge, without the necessity of any additional Zillah Court. In every country some districts must be far from the principal court, because no country could afford to maintain expensive judicial courts, merely because some individuals of such remote districts may otherwise have to travel an inconvenient distance once or twice in the course of their lives.

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Expensive establishments, when once sanctioned, are not easily put down. There is never any difficulty in finding plausible reasons to keep up a lucrative office, and if the office be judicial, the protection of the people can always be brought forward in defence of it; but the people would be much more solidly protected by abolishing the expensive establishments, and remitting the amount in their assessment.

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TRIAL OF CRIMINAL CASES BY JURY OR PANCHÁYAT.

3rd July, 1827.

Criminal cases should be tried by juries.

I HAVE long been satisfied that criminal cases among the people of the provinces under this Presidency ought to be tried by native pancháyats or juries, because I am convinced that they are much better able to trace facts from evidence than the Mahomedan law officers, and that much time and useless labour would be saved to the courts, and much delay and inconvenience to the prosecutors and witnesses; and because, what is of no less importance, the character of the people will inevitably be raised by being employed in distributing justice to their countrymen.

Administration of criminal justice should not be entirely in the hands of foreigners.

It is impossible that the criminal justice of a great country can ever be administered to the best advantage, when entirely in the hands of strangers, as it is now under this Government; for the Mahomedan law officer is, in fact, a stranger, as well as the European Judge, among Hindus. Even if all their decisions were correct, it would not compensate for the evil of the exclusion of the people. It would merely be executing strict justice among men whom we had degraded; for nothing so certainly degrades the character of a people as exclusion from a share in the public affairs of the country, and nothing so certainly raises it as public employment being open to all.

Co-operation of the people essential to efficient government.

We can never expect to make our government in this country what it ought to be, without the co-operation of a public-spirited and intelligent people. A public spirit may be created in all nations, varying, of course, in degree according to the freedom of their institutions. In order to excite such a spirit in India, we must make the people eligible to all offices.

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In proportion as we do this, we may be sure that they will qualify themselves for them, that they will endeavour to outstrip their rivals, and that they will seek distinction, not only in offices of profit and honour, but also by serving their countrymen in those of utility, such as members of panchâyats or juries, from which they derive no reward.

Natives should be associated with Europeans in every department of the administration.

The great object of our Government should be to extend the knowledge and to elevate the character of the people. No way is so likely to be successful as the bringing them into constant intercourse, and in a great degree associating them with ourselves in every department of public affairs. From this confidence they will gradually acquire new habits: they will perceive the advantages of the enlarged views of Europeans in all matters of government, and will in time seek to learn the knowledge which they have found to be so much more useful than their own.

Should not be excluded from the administration of criminal justice.

But our views regarding the improvement of the natives cannot be accomplished while we continue the present system, which excludes them from all share in the administration of the criminal justice of their country. Such a system may serve for a time, when no other has been established, but it cannot be rendered permanent without excluding the people from a most important part of the internal administration, and destroying every hope of enlarging their knowledge or raising their character. We surely cannot, consistently with any enlarged views of good government for this country, say that such a system ought to be rendered perpetual, or even maintained longer than is absolutely necessary; we ought therefore to lose no time in beginning to introduce another, better calculated to give efficiency to criminal justice.

Defects of the present system proved by long trial.

It ought not perhaps to be regretted that the attempt was not sooner made; for there was a strong feeling in favour of the present system on its first establishment, and for some time after, which was adverse to any change, and would have rendered the success of any new measure very doubtful. But the long trial which the system has now had, has shown all its defects, and how utterly unsuited it is to its purpose, and has convinced many of our most experienced Judges, who were once its zealous supporters, that it cannot be continued with advantage to the country. There cannot be a stronger proof of this change of opinion, than the draft of a Regulation for

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trial by native juries in criminal cases, which has now been brought forward by the Second and Third Judges of the Centre Provincial Court; and it appears to me that no time can be more favourable than the present for making the experiment, when it will have the advantage of being superintended by men so well qualified for the task by their long experience of the present system, and by their knowledge of the language and habits of the natives.

Trial by jury should be adopted as a measure to be persevered in, and not as an experiment.

The introduction of trial by jury should not be considered as an experiment, which may be abandoned on the occurrence of any unforeseen obstacle; but as a measure which, though local at first, is to be steadily and systematically pursued, until it shall be everywhere established. We must make a beginning without being discouraged by any difficulty, whether real or imaginary. If we hold back from fear of failure, or in the expectation of discovering a plan which shall be efficient at first, we shall never begin. We must not be discouraged by any want of success in our first attempts, but be confident that whatever is defective will be discovered and corrected by time and practice, and that the innate excellence of the institution will gradually carry it through every difficulty. It is undoubtedly an innovation, but not a greater one than the adoption of the Mahomedan criminal law. This law never was formally established in this part of India: a few petty offences in some of the principal towns were occasionally tried by it; but it was unknown as rule for general practice, and it may well be doubted if it ever existed, in its present form, as the code of any Mahomedan country.

Natives well qualified for the duty.

As far as success in the proposed plan may depend upon the qualifications of the natives, we have the strongest reasons to expect it; for having been in former times, and still being in the present, accustomed to sit on panchâyats, they are in general sufficiently expert in examining and weighing evidence; and the efficiency of such of them as are employed as district munsifs, evinces how well qualified they are to become good jurymen. Most of them will, I believe, be found at least as capable as any Mahomedan law officer of deciding upon the merits of evidence. Nothing can well be worse, in all that concerns the useful application of evidence, than our present establishment of law officers. From the want in this part of India of Mahomedans learned in the law, we have

Inefficiency of the present system of administering criminal justice with the aid of Mahomedan law officers.

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been obliged to have recourse to Hindustan for our law officers. These men, as may be supposed, are ignorant of the language of the prisoner and witnesses. They do not wish to learn it, for they avoid mixing with the Hindus, and even if they had no prejudice of this kind, they are usually too far advanced in years to acquire new languages. They know nothing of what is said in court during a trial, except from the Persian translators of the depositions. They are no doubt men of learning, and often highly respectable; but these advantages can never compensate the serious defect of their being utter strangers to the character and language of the people. The evil might in time be partly remedied by educating Mahomedans of this country for law officers, but the process would be tedious. The selection would be too limited, and would give us learned men instead of men of business; and we should still be left embarrassed with all the absurdities of the Mahomedan law. This law will, as long as it is suffered to remain, present an insurmountable obstacle to the suppression of crime, because the law officer allows no validity to the official documents of the heads of native police, and rejects the evidence, not only of police servants, but of every person in the service of Government. The evidence of persons, not in the service of Government, who may apprehend robbers, is rejected, because they are supposed to be influenced by the hope of reward. The evidence of every villager or other inhabitant, who may have been engaged in a conflict with robbers in defence of himself or his neighbour, provided he has received a blow from a stick or a stone, is also rejected, because he is considered as a prosecutor. It is true that where evidence is objected to on the score of the incompetency of the witness, the mufti may be required to state what his decision would have been, had the witness been competent. But this will not meet every case, and is at best but a very unsatisfactory remedy. The case, though within the jurisdiction of the Court of Circuit, must then be referred to the Sadr Adálat, and much labour and delay be incurred. All this labour might be well bestowed, were it calculated to ensure a better decision. But it is not likely to have this effect, because distant Judges, who merely read the depositions, cannot be so well qualified to decide on the evidence as the Court of Circuit, which both sees and hears the prisoner and witnesses.

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The rules of Mahomedan evidence, as applied in our courts, seem better suited to exercise the subtlety of learned muftis than to facilitate the administration of criminal justice.

Tediousness of the system of recording the depositions.

The loss of time is not the only evil which results from the present forms of trial. The attention of the Judge and mufti must often be harassed and exhausted, and diverted from the merits of the case, while the evidence is taken down in the native language, while the deposition is read over to the witness, while it is translated into Persian for the mufti. It is not in human nature, under such circumstances, in an Indian climate, to keep up the requisite attention, during a long trial, for a whole day, and sometimes several days, and we accordingly find that in some trials the facts are not so well examined as they would undoubtedly have been, had the process been shorter.

Advantages of the jury system.

The jury system will, in all those cases where written evidence is to be dispensed with, be the best remedy for this evil. It will also, by relieving the Judges from the duties of clerks and translators, and of preparing many records for reference both to their own law officers and to those of the Sadr court, enable them to give their whole undivided attention to the trials before them. Public curiosity and interest will be raised by native juries; spectators will come to see the trials; the courts will be crowded, instead of being empty a great part of the time, and the presence of a native public will excite the jury to attend carefully to the evidence and to give a true decision. By the trial by jury the innocent will be protected, the guilty be more sure of punishment, and the evil which arises from impunity and the guilty being let loose on the public, and emboldened in their guilt by the facility of evading conviction, will be greatly diminished.

Rules for regulating the jury system.

The Regulation for the native juries should, I think, be as short and simple as possible at first, leaving it to future experience to add such improvements as may be found necessary. Its operation should be limited for a time to the quarter sessions at Chittoor; but it should be made applicable to the quarter sessions at the stations of all the Provincial Courts, whenever it may be deemed advisable by the Governor in Council. It should, in all cases not referrible to the Sadr Adálat, dispense with written evidence. It should, in all cases referrible to the Sadr, record the evidence; but, after ex-

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perience may have shown that the decisions of the juries are sufficiently correct, these cases also should dispense with written evidence and be no longer referrible to the Sadr court. The number of the jury may be ten or twelve, perhaps twelve, because, as juries are wanted only for the quarter sessions, this number will be easily found; indeed, the point has already, I believe, been ascertained by the Magistrate. A majority should decide. Not less than three-fourths should form a majority.

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Section III.

POLITICAL.

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ON THE SUBJECT OF INTERFERING WITH THE SUCCESSION OF NATIVE PRINCES.

27th April, 1821.

Suggestions as to the succession to the chiefship of Karnúl.

MR. CAMPBELL, the Collector of Ballári, has stated that the Nawáb of Karnúl is in such bad health that his death may be looked for every day, and he has requested instructions as to the conduct he is to observe should that event take place. He suggests the expediency of placing Muzaffar Khán in confinement and of compelling the Nawáb to release Daúd Khán, whom the Supreme Government are disposed to regard as the person having the best claim to the succession, and who is now kept as a prisoner at Karnúl. We have already, within these few years, engaged in two expensive military expeditions to Karnúl, for the purpose of placing a Nawáb on the masnad,* and the execution of the measures proposed by Mr. Campbell would oblige us to engage in a third.

Inexpedient that the British Government should interfere.

The nature of the particular dependency of Karnúl upon us does not seem to require that we should be forward in interfering with the succession, but rather that we should abstain from such interference whenever we can do so without injury to ourselves.

Political position of the Nawáb of Karnúl.

On the breaking up of the Moghul empire, the Nawáb of Karnúl, like the Nawáb of Cuddapah and many other chiefs, seized his own district, and became in fact the prince of it, acknowledging, however, the Súbah of the Deccan's claim to military service as his feudal lord, but maintaining his own exclusive right to the internal government of his country. Karnúl † was transferred to us upon this footing by the Nizam in 1800.

* *Masnad*, throne.

† Karnúl was annexed to British territory in 1839, consequent upon the then Nawáb having become implicated in a treasonable conspiracy.

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In cases of succession, the Government ought to confirm the choice of the Chief and of the leading men of the country.

Whatever may be the rule of inheritance among private persons, it is certain that priority of birth in claims to dominion has never in India been much attended to, except among sons of the same mother. The elder son is frequently excluded by the choice of the father falling upon a younger son by a mother of higher birth than that of the elder, and the choice in such a case is usually supported by the principal officers; and I think that it will in general be our best course to adopt this choice. Were an adventurer to set up his standard and endeavour to get possession of Karnúl by force of arms, our interference might then be proper; but this is not a case ever likely to occur. In all cases where the dispute is between the different members of the family, I think we ought to confirm the choice of the father, and of the leading men of the country.

Objections to the adoption of any other course.

I see no good, but much evil, in following any other course. It may be asked, What useful object is to be attained by our interference? If we wish to establish a prince who is disagreeable to the leading men of Karnúl, we must do it by force, at an expense probably of eight or ten lakhs of rupees. This is as much as the whole peshcash * is worth; for it amounts only to a lakh of Hyderabad rupees yearly. If we wish to reimburse ourselves, we can do it only by taking possession of the country and collecting the revenue for ourselves; but, as it amounts only to about eight lakhs of rupees, and as a great part of it is mortgaged to creditors or assigned to military followers, it would require several years to liquidate our demand, during which time we should, in fact, set aside the prince whom we had undertaken to protect. Could it be shown that any material advantage, either immediate or distant, is likely to result from this interference, either to the people of Karnúl or to those of our own provinces, there might be some reason for incurring the expense with which it is always attended. But so far from doing any good, we always do mischief by it. The Nawáb whom we set up, will, from his confidence in our support, commit many acts of oppression which he would not otherwise have thought of, because we remove the salutary check which the fear of his own followers and people

* *Peshcash*, tribute. The word, as ordinarily used in Madras, means the annual quit-rent paid by the zemindárs.

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imposes upon him. If we expected to make him act rightly by giving him advice, we should only make him worse; he would become jealous and suspicious, and would punish every person, either openly or secretly, whom he suspected of having complained against him. We know perfectly that there can be no middle course in such interference; that if we seek to interfere effectually in the internal affairs of Karnúl, or any other Indian principality connected with this Presidency, we must go on, from step to step, on the specious plea of protecting the inhabitants, until we have usurped the whole government of the country and deposed the prince. Unless, therefore, we are determined beforehand to go to this extremity, we ought cautiously to abstain from entering upon a line of measures which must inevitably lead to it.

Course to be taken in the present case.

As I think that we have no right to meddle in the affairs of Karnúl, on the pretence of mal-administration or the sufferings of the people, or on any other grounds than those of securing our own rights of peshcash and military service, and the peace of our own districts, I think that we ought to wait quietly for the Nawáb's death, and to acknowledge as his successor the person of his family, who, by his choice and the support of his officers, may be enabled to assume the government. If we were now to move a military force to release Daúd Khan, or to support his claims, we should voluntarily, and without the smallest necessity, incur all the expenses that would be likely to be occasioned, even by a contested succession. No party in Karnúl could make any serious opposition; so that the expense of the military force would be nearly the same, whether employed in placing a Nawáb peaceably on the masnad, or in removing one who had already usurped the government. If we march so suddenly as to give the Nawáb no time for preparation, and instant submission follows, we gain nothing; for if we withdraw our troops, the same opposition may be renewed, whenever the succession becomes vacant. If, on the other hand, we wait for the death of the present Nawáb, and he is quietly succeeded by a candidate whom we approve, we avoid all expense. If the successor should be a person whom it may be deemed advisable to remove, and a force is required to effect it, we can in this case resume the jágírs of his adherents, and

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remove them from the district, which will be the most effectual means of ensuring future tranquillity.

It does not matter to the Government who the successor is.

It is not at all unlikely that were we to make any movement in favour of Daúd Khan, it might induce the Nawáb to have him secretly put to death. Ghulam Rassúl, who was destined for the succession by his father, the late Nawáb, is said to be the favourite of the present Nawáb and of the people, and would probably succeed without opposition; and in that case we could not do better than acknowledge his title. It is of no importance to us whether he or any other person of the family ascend the masnad: whoever does, will always be punctual in the discharge of his duties to the British Government. The Nawábs of Karnúl are too dependent ever to act otherwise; they have always been regular in the discharge of their tribute, and zealous in their endeavours to apprehend and deliver up all disturbers of the peace. Had no former reference been made to the Supreme Government, I should on the present occasion have proposed that the Nawáb should be called upon to declare whom he intended for his successor, and that we should acknowledge the person named by him, if no material objection appeared to his right; but as the Bengal Government have already said that they are disposed to give the preference to the claim of Daúd Khan, it seems advisable that a letter should be written to them, stating our view of the question, and strongly recommending the policy of abstaining from interference, unless in cases of urgent necessity, and that we should take no steps in the business until we receive their answer.

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THE TENURE ON WHICH A GRANT OF LAND FOR MILITARY SERVICES SHOULD BE GIVEN.

20th March, 1821.

THE Governor-General in Council, in forwarding to this Government a recommendation of Major-General Sir John Malcolm for the grant of a jágír to Súbahdar Syed Hussein of the Body-guard, informed us that he was disposed, 'with some qualification,' to comply with his recommendation, 'if 'not incompatible with the practice of the Government of Fort 'St. George on similar occasions.' As the custom of granting villages to meritorious officers had long been observed under this Presidency, orders were issued to the Board of Revenue for carrying into effect the orders of the Governor-General, and after some correspondence with that Board relative to the situation and rent of the village which the Subahdar had been desired to select, it was resolved to confer on him the village of Ulyinur on shrotriam* tenure for his own life and for the lives of his two sons, with a reserved rent of Rs. 600. **Recommendation of Sir John Malcolm in favour of a súbahdar of the Body-guard.**

A letter was received some months after from the officer commanding the Body-guard, requesting that the village might be granted rent-free, and not on shrotriam tenure. On reconsideration it was found that the reserved rent must be reduced to Rs. 100, in order to leave the súbahdar a clear annual revenue equal to the amount of the pay of his rank, which was accordingly resolved. **Recommendation that the grant should be rent-free. Quit-rent fixed at Rs. 100.**

It appears, however, from a communication from the Board of Revenue, that no person has appeared on the part of the **Jágír tenure considered more**

* *Shrotriam*, an assignment of land revenue.

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honourable than shrotriam tenure.

súbahdar to receive charge of the village, and as there is reason to believe that the delay proceeds from his wish to have the grant not on shrotriam, but on jágír tenure, which is according to ancient custom, and is deemed more honourable, I recommend that it be jágír.

Shrotriam tenure more applicable to grants for civil services.

The shrotriam tenure, by the custom of the country, is more applicable to grants to Brahmans and Hindus distinguished by their learning or civil services than to grants to military officers. It has the advantage of being limited in its duration, and of therefore not being a permanent alienation of revenue. But as jágírs are properly all liable to resumption, whether the period of their termination be expressed or not; as it is just as easy to limit the jágír as the shrotriam tenure; as it is reckoned much more honourable by the native army; as it costs Government no more, and as it is advisable that we should under such circumstances consult the feelings of those who are to receive the grant, it would be desirable that all future grants to deserving military officers should be in jágír.

Proposed reduction of quit-rent.

I would also recommend that as so much delay has already occurred in settling the question of Syed Hussein's jágír, and as he will next month be promoted to the rank of the súbahdar of the first class, the reserved or quit-rent be reduced from Rs. 100 to Rs. 10.

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A DISPUTED BOUNDARY.

11th September, 1821.

Disputed boundary between Dindigal and Travancore. Contradictory evidence.

I HAVE perused with attention the report of Mr. Higginson, and the documents accompanying it, regarding the disputed boundary between Dindigal and Travancore. The evidence respecting the right of possession is very contradictory. This is always to be expected in boundary disputes, but more especially when the boundary is among hills and uninhabited wilds. But though the evidence is imperfect, there are some circumstances which satisfy me that the tract in dispute belongs to Travancore.

Past history of the dispute.

The villages of Kambam and Gudalur, situated in the Dindigal valley and belonging to that province, had been for some years held by the Rájá of Travancore, and were by him delivered over to the Company in 1794. From that period till 1807 no dispute concerning boundaries occurred. But in the month of December of that year an affray took place between the servants of one Allamat Shetti, who rented some cardamum gardens under the Collector of Madura, near the boundary, and some of the Travancore peons. Complaints were in consequence made to Government both by the Collector of Madura and the Resident in Travancore; and several investigations were made, in order to determine the boundary, by native as well as European commissioners, between the years 1810 and 1817. But these inquiries ended in nothing being done, as the Resident always maintained that the lands belonged to Travancore, and the Collector that they belonged to Dindigal.

The tract in dispute lies between the eastern ridges of the mountains which separate Travancore from Dindigal and the

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Terkeperiár river to the westward of that ridge. This tract appears to have belonged to the Rájás of Waddakankur and Puneat, who were subdued by the Travancore State in 1754 and 1755, and to have become the subject of contest only because it produced cardamums. It was not delivered over to us with the villages of Kambam and Gudalur, which ought to have been the case had it belonged to them, but was afterwards occupied at different periods by the Collector of Dindigal. I can see no ground for this proceeding: no account or document is brought forward, nor anything in its favour except the mere testimony of the chetties and other inhabitants of Kambam. The chetties had long been accustomed to rent the cardamum gardens from the Puneat Rájá; and when, by the transfer of Kambam from Travancore, they became subjects of a stronger government, they appear to have been desirous of availing themselves of the power of their new masters, to relieve themselves from the payment of rent to their old one, and to claim as their private property the cardamum gardens, which had always belonged to him. They therefore maintained that the lands in dispute belonged to Kambam, and they found no difficulty in getting the inhabitants, who are always ready enough to extend their boundaries, to join them in their assertion.

It is supposed that no demand for investigation was made by Travancore until 1808, and that this long silence was an acquiescence in the justness of our claims. But this is a mistake, as it is evident that the Puneat Raja as early as 1800 made frequent complaints of the Company's officers to the Travancore Government, which always promised redress, but delayed bringing the subject to the notice of this Government, probably from the expectation that it would be adjusted by the Resident and Collector.

Conflicting views of the British district authorities and of the Resident in Travancore. Insufficiency of the evidence adduced by the Collector of Madura.

The Collector of Madura produces an account of the customs of Kambam for 1796 and the succeeding years, in which it is said that customs levied at a Company's chowky on the Terkeperiár river were also included. The Assistant Resident of Travancore denies the existence of any such chowky, or of any other except the one at Kambam, where all the revenues are dated. But even if it were admitted that customs had been collected in 1796 by the Company at Terkeperiár, it would prove nothing more than that the servants of

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the Collector had levied duties beyond the ancient boundary. The Collector does not show any record previous to 1796 in support of his claim. Indeed, his Assistant says that no accounts before 1799 show that Mr. Hurdis had a chowky on the east bank of Terkeperiár river. Whatever right we have to the disputed tract, we derived from Mysore when Tippoo Sultan in 1792 ceded Dindigal: we can have no right that the Mysore Government does not possess. Dindigal was subject to Mysore during thirty years, at a time when that Government was in all its vigour, and when its rulers were constantly encroaching upon the territory of their neighbours, and certainly never neglected to occupy all that was their own. If they possessed the tract in dispute, the Collector ought to have shown it. His not having done so, is, I think, conclusive against our claim. He tells us that the accounts of Kambam having been burned during the disturbances, had prevented his obtaining written documents to support our right. It may be true that the curnum's accounts were burned, but this is no excuse for not producing other vouchers. The Mysore possession was not a distant and obscure event, but a recent one, and there must have been many persons in Dindigal who had been employed under that Government in the management of the revenue of Kambam and Gudalur, and who had accounts showing the boundaries of their collections. There must also have been copies of the accounts which were burned, either in the possession of the curnum himself, or of some of his relations. I have no doubt of the existence of such accounts, or of their being kept back only because they would not substantiate our claim.

Superiority of the Travancore case.

In opposition to our total want of documents, the Travancore Commission brings forward a great number of different dates and different kinds, but all corroborating each other. They contain sales and transfers of the disputed territory at different periods, showing that its eastern boundary was the ridge of the mountains, and one of them is a survey of the cardamum gardens, including all the disputed gardens, in 1772, when Hyder Ali was in possession of Kambam and Gudalur. The Collector of Dindigal questions the authority of these documents, because they had not been brought forward on former occasions, and because they were not similar to any which had then been produced. As to the delay, it

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should perhaps be ascribed, not to the difficulty of producing the documents, but to the inexperience in such matters of our own servant, the Resident, and his not exactly knowing what would be required. Their dissimilarity to the documents previously exhibited is no argument against their validity. They resemble documents of the same nature which are so common in Malabar and Canara. Col. Munro, the Resident, who was from his talents and experience so well qualified to form a correct judgment on the subject, declares that he knows perfectly how they were obtained, and that he had the fullest confidence in their authenticity. In opposition to these documents we produce nothing: we cannot go further back than the time of Mr. Hurdis, when our encroachments commenced. We do not even attempt to establish that the Mysore Government, from which we derive our claim, ever held the lands in question. We do not bring a single village register to support our pretensions, and we acknowledge that the only accounts which could prove our right, have been burned. I really do not see how we can, after all this, deny with any justice the superior title of Travancore to the disputed territory. I would therefore recommend that it be given up without delay, making the ridge of the hills the boundary between the two states; and that, in communicating this resolution to the Ráni, we inform Her Highness that we have deemed it proper to make any doubts which remained on the question yield to the wish of showing our consideration for so ancient an ally of the British Government.*

Travancore title should be admitted.

* Travancore is a native State at the extreme south-west of the peninsula, bounded on the north by the native State of Cochin and the British district of Coimbatore, on the east by the British districts of Madura and Tinnevelly, and on the west and south by the sea. It contains Cape Comorin, the southern point of the Indian peninsula. The Rájá was an ally of the British in the wars with Hyder Ali and Tippoo. In consideration of the protection afforded to the State by the British Government, the ruler of Travancore pays to that Government, under treaty, an annual subsidy of eight lakhs of rupees.

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MAL-ADMINISTRATION OF MYSORE.

23rd August, 1825.

Financial mal-administration in Mysore.

It appears from the late communications from the Resident of Mysore that the revenues of His Highness the Rájá are decreasing, and his expenses increasing at such a rate as must, if continued, disable His Highness at no distant period from fulfilling the conditions of the treaty. It appears also that the díwán is corrupt and inefficient, and that there is no hope of remedying the existing evils through him; that the Rájá is indolent and neglects his affairs, and that there is no prospect of order being restored unless he can be made sensible of the danger of his situation.

Expedient that the Governor should visit Mysore and confer with the Rájá.

I deem it therefore expedient that I should without delay proceed to Mysore, in order that I may ascertain on the spot as accurately as possible the real state of the Rájá's affairs, and that I may, by personal conference with the Rájá, endeavour to prevail upon him to adopt such measures as may be calculated to re-establish order in his affairs. I must own, however, that the weakness and fickleness of the Rájá's character leave but little ground to expect any great degree of success.

It is my intention to leave the Presidency to-morrow. The distance of the journey will prevent my returning under two months, and in the mean time the duties of the Government will be conducted, as on former occasions of a similar nature, by the Members of the Board.

* The political position of Mysore at the period to which this and the following Minute relate, and Munro's previous employment in connection with the affairs of that State, are noticed in the introductory memoir.

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ON THE SAME SUBJECT.

8th November, 1825.

Misunderstandings between the Rájá of Mysore and the British Resident. Disorganization of the finances.

The Board are already acquainted with the reasons which induced me to go to Mysore. It was evident from the Rájá's letter to Government of the 28th May, that there was a misunderstanding between him and the Resident; and from the communications of the Resident under date the 30th of May and the 20th of June, it appeared that the revenue was declining rapidly, that the expenditure had increased, and that though in fifteen years almost the whole of the treasure amassed by the late Díwán, Purneah, amounting to above seventy-three lakhs of kantirai pagodas, had been dissipated, every department was in arrears. It was necessary to ascertain, and remove, if possible, the causes of irritation. It was still more important, especially when so many of our own troops were on foreign service, to see that those of the Rájá did not become discontented and mutinous for want of pay, which, with an arrear of six months, there was too much cause to apprehend. Such a state of things could not be suffered to continue without its leading in a very short time to the measure which it is so desirable to avert, of assuming the direct management of the Rájá's country in order to insure the fulfilment of the terms of the treaty.

Unsatisfactory character of the Mysore accounts.

A few days after leaving Madras, I learned from the Resident that the Rájá evaded giving the accounts called for by Government. This was not to be wondered at, because they had not been furnished from the time of Purneah, and because they were probably not ready, or not in such a state as to be produced. The Rájá, however, though he did not

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furnish the accounts required, delivered to the Resident an abstract of the arrears due to every department, civil and military. This paper showed that a large amount of arrears had lately been discharged; but it is inaccurate in several points, and particularly in assuming as paid three months' pay due to the Sillahdár horse, which, though some preliminary orders have been issued for its payment, will probably not be discharged for several months yet. The actual payments have been chiefly occasioned by the late discussions between the Rájá and the Resident, and my expected visit to the Rajá. Every time that I have entered the Mysore territory, the Rájá, supposing that I would either make some inquiry or receive some representation concerning arrears to the several departments, but especially to the four thousand horse he is bound by treaty to maintain in readiness for service, has been accustomed to discharge a portion of the balance due. This is fortunate, in so far as it has kept the amount much lower than it would otherwise have been, but it has the bad tendency of making the troops look rather to the interference of Government than to the justice of the Rájá for what is their due.

Arrangements for a meeting between the Rájá and the Governor.

I arrived at Mysore on the 16th of September. The 17th and 18th were occupied in visits of ceremony. As my business with the Rájá was to draw his attention seriously to the terms of the treaty, and to point out to him, in a friendly yet decided way, the consequences which would certainly result from a failure in their observance, and as this did not require any lengthened discussion, I thought it most advisable that whatever I had to say to His Highness, or to hear from him, should be finished at one meeting. I therefore intimated to His Highness that I should either, as might be most agreeable to him, meet him alone without attendants on either side, or accompanied by the Resident, if he wished to have a confidential servant of his own. The Rájá answered that he should bring no servant of his own, but that he wished the Resident should be present, and a few hours after he sent a message to express his desire that the Assistant to the Resident might also accompany me.

Account of the conference.

The meeting took place on the 19th of September, and lasted between three and four hours. I began the conference by observing that it was now above five and twenty years

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since the Rájá had been restored to the throne of his ancestors; that during a great part of that time the affairs of the country had been prosperously conducted, but of late years they had, from a variety of causes, fallen into some disorder, which, if not corrected, would in the end prove extremely detrimental to both sirkárs; that in order to obviate such an evil, it was proposed that I should co-operate with His Highness in devising a suitable remedy; that in speaking of a remedy, it was my wish that he should be under no alarm about the security of the treaty, but set his mind at rest regarding it, because it was not the intention of the British Government to alter it in any point; that by keeping it unchanged, many advantages accrued to both States; and that I was myself so convinced of this, that it was my earnest desire that no event should ever occur which might compel the Company to have recourse to the fourth article, but that His Highness might himself, and his descendants after him, long continue to enjoy the sovereignty of Mysore; that there were, however, some conditions, without attention to which no State could long endure—there must be order in its affairs; that if there were no order in the affairs of the Company, its dominions could not stand; and that in the same manner, if the affairs of the Mysore sirkár were without order, there could be no hope that the prosperity of His Highness's house would last.

Unwillingness of the Governor to deprive the Rájá of his administrative authority.

I then stated that, among the requisites of order, the most essential was that the expenditure should not exceed the income; and that, for a time at least, it should not even equal it, but be less, because if both were equal, there would be no provision to meet the emergency of any unforeseen event—such as war or famine, or even of those which were foreseen—such as the repairs of Bangalore and other fortresses in Mysore, of which His Highness was bound by treaty to bear half the charges. And that for such purposes it was necessary that a treasure of ten or twelve lakhs of kantirai pagodas (about £300,000) should be gradually amassed; and that when this was accomplished, there would be room for again replacing the diminution which the present state of things might render it necessary to make in some of the departments.

Important that the expenditure of the State should be kept below the income.

I observed that the treaty imposed certain duties on both Governments: on the British—to maintain the treaty unim-

Duties imposed by the treaty upon

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paired, to defend Mysore, and to assist the Rájá with advice, when it appeared to be necessary, either for promoting the welfare of his country, or for protecting the people from oppression: on the Rájá—to improve his country, to pay his subsidy regularly, and to keep his troops and other establishments efficient by not suffering them to fall into arrears; that it was the desire of Government to avoid interference as much as possible in the internal affairs of Mysore, unless when the tendency of particular measures appeared to threaten the stability of the treaty; but, if the revenue decline, if the disbursements exceed the receipts, if the troops from not being paid be discontented, there is danger to the treaty, because His Highness cannot in such circumstances fulfil its conditions, and we must for our own security give effect to the fourth article; that the best way for His Highness to prevent such an occurrence would be to cause statements of his annual receipts and disbursements to be furnished regularly to Government through the Resident; that by seeing these documents we should always know the true state of affairs, and if any loss or difficulty were likely to arise, we should be able to provide for it in time; that if we do not get these statements, we should have no knowledge of the affairs of Mysore, except from vague reports, and we might possibly act upon them when they were erroneous. Our doubts would sometimes produce interference. By the statements doubt will be removed, and the more correct they are, the less ground will there be for interference.

the respective Governments.

I concluded by saying that the disorder of the Rájá's affairs had reached to such a height as would justify the Government in acting upon the fourth article of the treaty; but that as a direct interference in the administration, or the assumption for a time of a part of the Mysore territory, could not be undertaken without lessening the dignity of His Highness, and shaking his authority in such a manner that it would be impracticable ever to re-establish it, I was unwilling to adopt such a course until the last extremity, and wished to give him an opportunity of restoring order himself. But that if reform were not immediately begun, direct interference would be unavoidable.

Disorder of the Rájá's affairs such as to justify direct interference by the British Government in the administration.

The Rájá heard me with very little interruption. In reply he acknowledged the justice of many of my observations;

Excuses made by the Rájá. Their

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unsatisfactory character.

but maintained that there had been no material decline in the revenue, or disorder in affairs till of late years; that the decline had arisen partly from the prevalence of the cholera, and other unavoidable causes, but chiefly from the misconduct of a Díwán appointed against his inclination. The Resident denied the correctness of this statement, and reminded the Rájá that he had himself, after weighing the merits of the candidates, preferred the present Díwán. The Rájá, after a little hesitation, admitted that this had been the case. The fact is that His Highness is too suspicious to like any Díwán, and too fickle to manage his own affairs. In support of his assertion respecting the revenue, he read from a paper the totals of the settlement, collection and disbursement in each year from 1799, differing little from the statement which had been transmitted by the Resident. He argued very earnestly that this document proved that the settlement had not fallen considerably till within the last few years, and that the expenditure had not been much augmented. As my object was rather the future than the past, I did not consider it advisable to expose the fallacy of these observations by stating that the cholera had been less felt in Mysore than in any part of India; that its effect on the revenue had been very trifling; that bad seasons might cause an occasional partial decline, but not a constant progressive one; that the late Díwán Purneah, while he raised a much greater revenue, and disbursed more on public works, had left a treasure behind him amounting to above seventy lakhs of kantirai pagodas; and that His Highness, besides his ordinary revenue, had in the period of fifteen years dissipated nearly the whole of this treasure. I contented myself with saying, that whatever might have been the cause, bad seasons or bad management, the revenue was now less than the expenditure, and that the only remedy was a reduction of expense in the departments where it could be made with least inconvenience, until an improvement in the revenue should enable them, if necessary, to be again raised to their former establishment.

Reduction of expenditure absolutely necessary.

The Rájá assented without hesitation to the expediency of this measure. As I was aware that he meant to discharge more of his peons and irregular troops than could be done with safety, in order that there might be the less diminution in the sum which he squandered on his pleasures, I told

Suggestions with this view made by the Governor.

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him that, looking at the late Díwán's and the present expenditure, I had prepared an estimate which I hoped would answer the purpose in view. I then gave him the paper. After glancing over it, he said that he thought what was proposed by it, might be done. I observed that I wished His Highness to consider it at leisure, as, though the present state of affairs precluded any augmentation of the general amount, the sums allotted to particular departments might perhaps, in some instances, be modified to advantage.

Desire of the Rájá to dispense with a Díwán.

His Highness now returned again to the subject of the mismanagement of the present Díwán. He said that heavy balances had been left outstanding, much of which might yet be got; that if the management of the revenue were left entirely to him, without the intervention of a Díwán, he would recover a great part of them, and would gradually restore the revenue to its former level. I answered that I was not sanguine as to any great recoveries, that the balances due by ryots could seldom be exacted after the approach of a new season, without oppression to them, and ultimate loss to Government; but that whatever balances were due by revenue officers or renters should, as far as possible, be realized; that with regard to His Highness conducting the affairs of his country without a Díwán, I did not doubt his capacity, but no prince in his situation could carry on the duties of Government without one; that the direct administration of the affairs of so extensive a country as Mysore was too much for any one man, and that the agency of a Díwán was indispensable; that a general superintendence of the conduct of the Díwán, and other great officers, would furnish ample employment for His Highness. The Rájá did not persist in his proposal, but agreed to appoint another Díwán in two or three months.

Objections to such an arrangement.

Charges made by the Rájá against the Resident's servants.

He then went on to complain of the Resident's servants, of their treating him with disrespect, of their sometimes not noticing him when he passed; of the principal servant, Kishan Ráo, interfering in the affairs of the country; and of the Resident allowing written orders to be sent to the cutcherry, lowering his dignity and authority. His Highness spoke on these points at great length, with many repetitions and with some irritation. The Resident, in answer to the Rájá, said that there must be some mistake or misrepresentation; that

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no servant of his would treat His Highness with disrespect; that he was certain that no written order had ever been sent to the cutcherry, and that if His Highness could only produce one out of the many supposed to have been sent, he would acknowledge the charge; and that with respect to Kishan Ráo's interference, he had never gone to the cutcherry except in company with the Rájá's servants, placed with the Resident for such purposes by His Highness himself; and that they had gone merely to see whether the accounts called for by Government, and ordered by the Rájá, were ready. His Highness, on this representation, seemed to feel that he had gone too far, made an apology and spoke kindly to the Resident, for he is much attached to him personally, but persisted in his complaints against Kishan Ráo.

Origin of these charges.

It was evident that in these complaints, the Rájá had been excited by his low favourites to consider the ordinary intercourse which had always existed, for mutual convenience, between the Resident's servants and his own, as interference, and that this design was favoured by the resentment which the Rájá felt upon the subject of the letter to the Peshwah. Kishan Ráo is an old servant of the Residency. He is a native of Mysore, is connected with many of the principal inhabitants, and is thereby enabled to inform the Resident of the state of the country, of the abuses of power, of the low pursuits of the Rájá, and of the waste of his treasure upon favourites; and it is this which makes them inimical to him. These men urge the Rájá to get rid of all control in the administration of his country, beyond the payment of the subsidy; and the Rájá himself would be glad to be free from all check whatever, and, while he pays his subsidy, to reduce useful establishments, without which the peace of his country cannot be maintained, to keep others in arrears, and to dissipate his treasure in idle amusements.

Idiosyncrasies of the Rájá.

The Rájá has never yet furnished the accounts which Purneah always readily gave, and he marks with displeasure all persons who convey information to the Resident. He has very good natural talents; but he has, unfortunately, just that degree of activity which will neither permit him to give up the management of affairs to others, or to manage them himself. If we were to accede to his wish of acting without a Díwán, he would give great attention to public affairs for a few

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months, but in one or two years he would come back upon us with his revenues in complete disorder, his departments unpaid, his troops discontented, and many of his districts mortgaged.

Steps to be taken, should the Rájá persist in disregarding the advice of the Resident.

If the Rájá should persevere in neglecting the advice of the British Government at any point which may materially affect the security of the terms of the treaty, the effectual remedy is to establish rules for the occasion, or to assume the direct management of a part or a whole of the country, as stipulated by the fourth and fourteenth articles. But, as one of these courses would lower the authority, and the other entirely disorganize the Government of the Rájá, they ought both to be avoided as long as possible. By the orders of the Supreme Government, our superintending influence is to be exercised with caution, delicacy, and moderation; and it is supposed that the 'reasonable interposition of our advice, combined 'with the disposition of the executive administration to cultivate the good opinion of the Company's Government, will 'always be sufficient to prevent the occurrence of any flagrant 'abuse.' There can be no doubt but that, in general, a prince situated like the Rájá will not persevere in disregarding the advice of Government, when he knows that the consequences must be his own ruin as a sovereign. If he does not persevere, the difficulty is removed; but he sometimes will persevere, in spite of all the caution and prudence which may be employed by the Resident in dissuading him. There is no reason why he should not sometimes, as well as a private individual, want firmness to restrain himself from pursuing a course which he sees clearly must end in his ruin.

Baneful influence of low favourites over native princes.

He is, in fact, much more likely than any private individual to act in this manner, because his own inclination to profusion is continually encouraged by that of artful favourites, by whom he is surrounded, who expect to enrich themselves by his prodigality. When this is the case, the advice of the Resident, however cautiously and delicately given, will generally be neglected—because these men do not, like the Resident, see him only occasionally, or advise him to make any present sacrifice for the sake of the future. They are his constant associates; the companions of his pleasures. They are about him in all his unguarded hours, and have ample opportunities of removing any favourable impression which

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the Resident may have made. They encourage him to consider every suggestion or request of the Resident which was formerly attended to without hesitation, as an interference derogatory to his dignity, and to withhold compliance by evasion or concealment.

Ability of Purneah, the Díwán of Mysore from 1799 to 1810.

It is only within these few years that we have begun to see the effects of the system under which the affairs of Mysore are administered. From 1799 to 1810 Purneah was the Díwán, and during the three following years the office was held by the Bakshi, Ram Ráo, who adhered to the plans of his predecessor. It is to this period of fourteen years, during which Purneah either was at the head of the Government, or his system remained in full force, that all former reports on the affairs of Mysore refer. These reports were in the highest degree favourable, because Purneah was a man calculated to realize the most sanguine hopes that could have been formed. He had in the time of Hyder Ali found his way by his talents from an obscure situation to one of the first offices of the State, and he maintained himself in it, in opposition to many able rivals throughout the reign of Tippoo Sultan. When Seringapatam fell, we found him willing to accept the post of Díwán. He was beyond comparison better fitted than any other person for it; and both his interest and his ambition led him to exert every means to promote the welfare and resources of the country under his administration. But we cannot expect again to find a man so qualified; for Mysore is not now a field in which such men can be found. The task, therefore, of preventing the affairs of Mysore from falling into confusion is now, and will hereafter continue to be, much more difficult than it was formerly.

Difficulty of finding an equally competent Díwán.

Desirable that the Ráj́á should be required to furnish regular accounts of his revenue and expenditure.

It would be easier to give a right direction to the conduct of the Mysore Government under almost any other prince than the present one. A weaker one would be more easily guided. An abler one would act more prudently for his own sake. But still I think that the Ráj́á may yet be brought to give such attention to his own affairs as will obviate the necessity of our assuming the management of them. The most likely way of effecting this would be to make him furnish accounts regularly of his revenue and expenditure. By these accounts we shall see the general state of affairs, and we shall know when interference is

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really necessary, and be saved likewise from making inquisition upon uncertain grounds, and a great source of jealousy and irritation will be removed. The transmission of these accounts will also draw the Rájá's attention, if not constantly, at least periodically, to the state of his affairs much more than would otherwise have been the case; and will stimulate him, if anything can, to conduct them in such a manner as may prevent their falling into such confusion as to render our direct interference unavoidable. The accounts will not be very correct, because it is probable that they will not come to the Rájá himself in that state; but they will be sufficiently correct to answer the purpose for which they are required. They will show us whether the establishments necessary for the security of the country are maintained, whether they are paid, and whether the revenue is improving or declining. With a knowledge of these points we shall be able to judge how far the Government is well or ill-conducted, and how far the Rájá is in a condition to fulfil the terms of the alliance. Should there appear from the accounts sufficient evidence that affairs are falling into disorder, and that if a remedy be not applied, the Rájá will soon be unable to fulfil his engagements, he will then be more likely to receive and follow our advice, because he will be sensible that it is not only necessary, but that it is founded on statements furnished by himself. Should there not appear to be any serious mismanagement, our advice can be very little wanted, and should be given as sparingly as possible.

Interference in petty matters inexpedient.

The Rájá is less tenacious on great objects which regard the country at large, than on minor ones which concern the personal interests of his favourites. He will appoint no Díwán who is not acceptable to us; and he will furnish, though at first perhaps with some delay, the accounts we may request of his revenue and expenditure. But he will persist in lavishing money upon his favourites; in appointing, at their desire, low and unworthy persons to public offices; and in conniving at their corrupt practices, in spite of all the advice which the Resident may offer. As interference in such matters can answer no purpose, but to irritate the Rájá, it ought to be carefully avoided, unless the evil be carried to such a height as to affect the resources of the country.

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Perfectly accurate accounts not to be expected.

As no accounts have been called for since the time of Purneah, and as the Rájá has furnished none, the Resident has been obliged to seek information regarding the state of the country through various channels, which has frequently excited unnecessary jealousy, and injured the persons suspected of having given it. The necessity of such inquiries will in a great degree be obviated by the accounts to be furnished by the Rájá, which, though they may not be very accurate, will be much nearer to the truth than any that could be procured from private sources. We must not expect more accuracy from the Rájá than from Purneah, whose accounts were certainly defective, as they do not show how the treasure which he left, could possibly have been accumulated. It is probable that some heads of extra revenue may have been kept in a separate account and not brought forward; and that he may, in some instances, have charged for the complete establishments of departments in place of the actual strength.

Summary of points to which the attention of the Rájá should be called.

The measures which it appears most important to require the Rájá to carry into effect, are the following:—

1st. To reduce his expenditure.

2nd. To collect gradually, and keep in reserve, a moderate treasure, in order to meet the contingencies of war and bad seasons, and the repairs of fortresses, half the expense of which he is bound to pay by treaty.

3rd. To pay his departments regularly, and to cause the Sillahdár horse to be mustered according to treaty when required by the Resident.

4th. To furnish statements of his revenue and expenditure according to such forms as may be submitted to him by the Resident.

I recommend that a letter be addressed to His Highness, calling his attention particularly to these points, and generally to the other points regarding the administration of Mysore, which were mentioned by me to His Highness at my last visit.

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ON THE COMPLIMENTARY EXCHANGE OF PRESENTS ON THE OCCASION OF AN INTERVIEW BETWEEN THE GOVERNOR AND A NATIVE PRINCE.

24th July, 1821.

Disposal of presents sent to the Governor by the Rájá of Mysore.

On my route to Bangalore I was received on the frontiers of Mysore by Balla Ráj, a relation of the Rájá, and several of the principal officers of the durbár, who accompanied me during my journey to Bangalore. The Rájá proposed to meet me at that place, but I declined his offer on account of the shortness of my stay. I wished also to have declined accepting the presents, of which a list was forwarded in the Resident's letter of the 28th June; but on communicating with that officer and some of the principal natives, I found the refusal would hurt the Rájá's feelings, who would regard it either as a slight on my part or as a mark of the displeasure of Government. The presents were therefore received and transferred to the Resident, who was directed to give others to the Rájá and his principal officers of the same value.

Reasons against prohibiting the practice of receiving presents from native princes and not giving return presents.

The native princes consider the giving and receiving of presents as an attribute of sovereignty, and our endeavours to discontinue the custom as a design to lessen their dignity. As they are gratified by the consequence which they suppose it gives them, both in the eyes of their subjects and of strangers; as the loss of much of their real power makes them the more anxious to preserve the forms that yet remain of royalty; as our putting a stop to the ancient usage of presents would mortify them without producing advantage to either party; as it can be attended with no abuse while kept under proper control; and as the form in which it is now

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conducted, answers this purpose, I am of opinion that it ought to be continued, for the satisfaction of the native princes. It is, as the Board know, a mere ceremonial of exchanging equivalents. The Resident, previous to the ceremony, ascertains from the officers of the durbár the value of what is to be given by their master; he provides articles of a similar value to be given in return, and he keeps an account of the receipts and disbursements, which nearly balance each other in the course of the year.

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ON THE QUESTION OF TRANSFERRING THE SOUTHERN MAHRATTA DISTRICTS FROM THE BOMBAY TO THE MADRAS PRESIDENCY.

5th May, 1826.

I CANNOT deliver my sentiments on the question of the transfer of the southern Mahratta country without making my acknowledgments to the Honourable the Governor in Council at Bombay, for the manner in which it has been referred to this Government, in the Minute which accompanied the Chief Secretary's letter of the 20th April.

Question of the transfer of the southern Mahratta country from Bombay to Madras.

My own knowledge of the southern Mahratta districts is extremely limited, and is not to be put in competition with that of either the present or the late Commissioners, who have so long administered their affairs. My residence in them was only during a period of war, and the view which I then took, and which I am still inclined to consider as on the whole the best one, is the same as that which was originally adopted by the Honourable the Governor of Bombay; namely, that these provinces ought to be transferred to the Presidency of Madras.

Munro's views favourable to the transfer.

The present Commissioner has stated very clearly the arguments for, as well as against, the transfer. Those in favour of the transfer are, he observes, as stated by the former Commissioner, the intervention of the territory of the Rájá of Sattára between the Bombay acquisitions in the Deccan and the southern districts; the country being a part of the Carnatic already under Madras, and the people Canarese, like those of the adjoining district of Ballári; the country being occupied by Madras troops, and the probability of its continuing to be so; and the expediency of the Madras

Arguments in favour of the transfer, as stated by the Commissioner.

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establishment participating in the benefits of the conquest of the Peshwah's dominions.

Arguments against the transfer.

The arguments urged by the Commissioner against the transfer are in substance as follows :—

The difficulty of managing the Mahratta chiefs, some of them having extensive territories, and the Rájá of Kolapur being an independent prince.

That some of the Patwardári family, whose possessions lie chiefly to the south of the Krishna, have their residence to the north of that river, and that some have possessions scattered over districts contiguous to Sholapur and Poona, which must keep them connected with Bombay, and make them look to it for redress.

That the difficulty of managing these chiefs increases as the seat of government is more remote, and that there is great danger among future changes of local authorities.

That if the Political Agent be deficient in the qualities requisite for his situation, the last respectable remains of Mahratta chiefs may subject themselves to confiscation or degradation, and thereby render our Government unpopular.

That the distance of the Madras Government must render it in some degree liable to be guided by the representations of the local authorities, in measures connected with these chiefs, and tend to diminish their security; and that the facility which Bombay possesses, of throwing in reinforcements by sea at a week's warning, gives her the best means of putting down insurrection in these provinces, and renders her the best qualified for their administration. The Honourable the Governor of Bombay considers the management of the southern jágírdars as a matter of primary importance. He thinks, for the reasons assigned by the Commissioner, that Bombay is a more convenient Presidency for them than Madras, and that their Mahratta origin and former connections would render a transfer to Madras almost as great a revolution as that which they underwent on the fall of the Peshwah. The arguments against the transfer are no doubt strong, but they seem to rest rather upon circumstances of a temporary than of a permanent nature.

The latter arguments rather of a temporary than permanent nature.

Residence of some of the southern Mahratta chiefs to the

The residence of some of the Mahratta chiefs to the north of the Krishna, whose possessions chiefly lie to the south of that river, constitutes no solid objections to the transfer. The

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residence of such chiefs cannot be regarded as certain, but changes with their fancies. Those who now reside north may in another year or two take up their abode to the south of the Krishna—or if the present chief continue where he is, we cannot be sure that his successor will. It is most likely that they will all in time fix their residence in the province where the great bulk of their possessions lie. It is not unusual for these chiefs to have scattered possessions under different governments. It will not prevent them, under any of the Presidencies, from receiving the same attention to all their references as if their possessions had been entirely under it.

north of the Krishna river, not a valid objection.

The distance of Madras does not seem to me to form any serious obstacle to the transfer. It is not so much greater than that of Bombay from Dhárwár, as of itself to render the one Government much more liable to be guided by the representations of the local authorities than the other. The opinion of these authorities must usually have some influence with all Governments, but neither Madras nor Bombay are so distant as to be dependent wholly on it. They have the advantage of former records, and of the experience of many civil and military officers of both Presidencies, derived from a long residence in these provinces.

Distance of Madras not a serious obstacle.

The facility which Bombay has of throwing in reinforcements by sea, does not make up for the military advantages possessed by Madras for controlling the southern Mahratta country. There are some months in the year when troops cannot be sent by sea from Bombay, and even when the season is favourable, it may not be convenient to send them. The real foreign frontier of Bombay is to the north-west, the opposite extremity of its territories. It is in that quarter that the chief demand for its troops will always be, and their services ought not to be made liable to be diverted from it by the affairs of the southern Mahratta districts. The military force has always been in those districts composed of Madras troops, and it may easily, without any addition to the army, be so increased as to prevent or to put down any insurrection which might be attempted. The unexpected call for Bombay troops in the disturbances which took place within the last two years in Kittur and Kolapur arose from the absence of a great part of the Madras army in Ava, an event which is not

Superior military advantages possessed by Madras for controlling the southern Mahratta country.

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likely to happen again. The ordinary force allotted to the Dhárwár districts, when complete, is quite enough; but if more should, contrary to probability, be wanted, there is no spot within the Madras territory where so great a force could with so much ease be concentrated; for, besides the troops in the adjacent district of Ballári, nearly the whole of the troops at the great military cantonment of Bangalore, together with the greater part of the Rájá of Mysore's horse, might be thrown at once without any inconvenience into the southern Mahratta country. The long settled state of the Mysore dominions does not require the constant presence of the great force stationed there, so that the chief part of it is always disposable for service, either in the southern Mahratta country or in the southern districts of His Highness the Nizam.

Inconvenient that the civil Government should belong to one Government and the troops to another.

Besides the facility with which Madras can supply the troops, it may be urged, too, in favour of the transfer, that it is evident that inconvenience must frequently arise from the civil government belonging to one Presidency and the troops to another, and that affairs are more likely to be smoothly conducted where both are under one.

The management of the chiefs, at one time a difficulty, has now ceased to be such.

I think that the management of the chiefs was the only real difficulty that ever existed in making the transfer; and had such a measure been proposed on the conclusion of the war, I should have thought it wrong to adopt it, because there can be no question that Bombay, from its intercourse with the Mahratta chiefs, was much better qualified than Madras to manage and reduce them to order. But this difficulty is not now what it was. Time and experience have so greatly reduced it, as to make it no longer serious. It has been nearly done away by the administration of the present and late Commissioners. Any future Political Agent will have their example for his guide, whether he be from Bombay or Madras. The present Commissioner was till lately a stranger to Bombay, but he had the benefit of his predecessor's example, and his successor will have that of his. The principles to be observed in regulating our conduct towards the Mahratta chiefs in every case, whether of interference or forbearance, have already been ascertained by the Commissioners, under the direction of the Bombay Government, and would serve as a guide to the Political Agent and to this Government, if the transfer were made.

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In this, therefore, as well as in every other respect, it appears to me that the transfer to Madras would be the best arrangement, both as regards the civil and military administration. Madras has always furnished the troops, and can more easily augment them when necessary. The civil and military authorities will be united under one Government. The country forms a part of the Carnatic, which is already under the Madras Government, and the people are Canarese, like those of the neighbouring districts of Ballári and Súnda; and their reunion to their nation, though it does not force itself so much on our immediate attention, is, as a permanent measure, perhaps more entitled to it than anything regarding the convenience of the Mahratta chiefs, who should not now, I think, continue to look to Poona and Bombay for redress. It has the effect of keeping alive the memory of the Mahratta confederacy, which had better be lost, and this would be more likely to result from the transfer to Madras.

Transfer to Madras advisable, both on military and on political grounds.

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ON THE SAME SUBJECT.

August, 1826.

Letter from Supreme Government on the subject of the transfer.

In the letter from the Secretary to the Supreme Government, dated the 22nd July, enclosing a copy of a letter to Bombay on the subject of the southern Mahratta country, this Government is desired to state its sentiments 'on the 'practicability, as well as expediency, of continuing the political 'control over some of the chieftains in the hands of the Govern- 'ment of Bombay, should it be ultimately decided to annex the 'southern Mahratta country generally to the Presidency of 'Fort St. George.'

Administration of province of Dhárwár, and political control over the chiefs holding jágírs in it, ought to be united in the same Government. Reasons for the above opinion.

I am of opinion that the administration of the province or zillah of Dhárwár, and the political control over the chieftains holding jágírs within it, ought to be united under the same Government, and that they could not be separated without the most serious inconvenience, and weakening the authority and efficiency of the public officers.

I believe that the different chieftains now hold their jágírs rent-free. There can therefore be no demand upon them for revenue, which is usually the great source of vexation and discontent. The cause in which almost every discussion with them is likely to originate, will be the disputes between the jágír and sirkár villages about boundaries, trespasses of cattle, local duties on goods, and other matters which, from the great intermixture of the villages, must frequently happen; and as these disputes ought to be amicably settled the moment they arise, it becomes the more necessary that the political and civil authority over the whole country should be united in the same Government. Were these powers possessed separately by different Governments, the most trivial

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disputes, which ought to have been settled the same day, would become the subject of political discussion; and, by giving importance to things having none in themselves, and wasting time upon them, would seem rather to keep alive than to terminate petty dissensions.

Dhárwár really a Carnatic, and not a Mahratta province.

I have on former occasions stated my opinion, founded on the country of Dhárwár being a part of the Carnatic, the people Canarese, not Mahratta, and other causes, that the whole of that province ought to be annexed to the Presidency of Madras, as was originally intended. But, as the letter from the Supreme Government requires to know whether, in the event of such annexation, it might not be expedient to continue in the hands of the Bombay Government the political control 'over some of the chieftains,' I must, in answering this question, still say that I deem it highly inexpedient to continue any of them under the political control of Bombay; but that the one which might with the least public inconvenience be so continued, should such a measure be resolved upon by the Supreme Government, is the Rájá of Kolapur, because his territory lies nearer to Bombay than that of any of the other chiefs, because it is compact, with the single exception of the district of Manouli, given to him by the British Government in 1818, and because he is a sovereign prince. As the village of Nepanni is situated in the heart of the Kolapur territory, it should with its chief be under the control of the same Government as Kolapur.

All the chiefs in that province, except the Rájá of Kolapur, should be placed under the political control of Madras.

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ON THE SAME SUBJECT.

27th June, 1826.

Further remarks on the same subject.

It was not my intention to have said anything more regarding the transfer of the Dhárwár province than what was contained in my former Minute; but, further proceedings of the Bombay Government on this question having since been received, I think it advisable to offer a few short explanations on some of the arguments brought forward in them.

Reasons for maintaining a large military force in the Madras Presidency.

It is inferred that 'the Madras military establishment 'has been increased to an extent beyond its wants,' because it can furnish troops to protect Dhárwár. The increase was made under the authority of the Supreme Government in 1819, when no doubt was anywhere entertained that after doubling at once the Bombay territory, by the addition to it of the greater part of the Peshwah's dominions, this small portion of them would be annexed to Madras. But there are general grounds, independently of the defence of a particular district, connected with the first rise of our power in India, which have rendered the maintenance of an efficient army at Madras indispensable. From early times it was absolutely necessary for the safety of our Indian empire, and even for our existence in India, to keep up a larger military force at Madras than it could support from its own resources, because it was on the coast of Coromandel that the great contest for dominion was carried on against the French and Dutch, and Mysore, the most formidable of all the native powers. It is on this coast still that we must be prepared to meet the French; for a European enemy attacking India will always land on this coast, because he can be supplied with everything and easily advance into the country, and because an invading army cannot be equipped on the coast of Malabar,

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and cannot even move during several months in the year. Our long connection with Hyderabad, and the maintenance of our influence there, have also required us to have some disposable force ready to act according to emergencies. Expeditions to Manilla, Amboyna, and other European settlements to the eastward, have likewise required extra troops. The demand for these various services could never have been answered without an adequate force at Madras, or without something more than what is merely sufficient to protect its own territory. I do not mean that the circumstance of our having a military force capable of protecting the Dhárwár province, is of itself a sufficient reason for placing it under Madras; but I think that it is one which ought to have paramount weight, when it is combined with the consideration that the districts forming that province have always actually been occupied by our troops, and that they are not Mahratta but Canarese, the same as our neighbouring districts of Harpanhalle and Súnda.

Origin of the mistake of supposing the Dhárwár province to be Mahratta.

The mistake of supposing the Dhárwár districts to be Mahratta, has probably arisen from our calling them the southern Mahratta country, a term unknown to the natives, and only lately adopted by ourselves. They are so far from being Mahratta, that, though frequently overrun, only a small part of them was ever subdued by the Poona Government. The rest remained under the Nizam and the Nawáb of Sávanur until Hyder Ali, by the defeat of Abdul Hakim, the last Nawáb of Sávanur, in 1763, became master of them; and though they were still occasionally overrun by the Mahrattas, they remained annexed to Mysore until the first Mysore war, when Dhárwár was taken from Tippoo by the aid of a British force, and ceded, with its dependencies, to the Peshwah by the treaty of Seringapatan in 1792. While the Dhárwár districts were under the dominion of Hyder and Tippoo, the name of southern Mahratta country was unknown, and would have been unknown still, had they continued united to Mysore. They were considered as much a part of Mysore as Bangalore; for the inhabitants were a portion of the same Canarese nation, speaking the same language, and differing in no respect whatever. It must, therefore, be more satisfactory to the inhabitants themselves to be reunited to their own nation, than to be transferred to a country of Mahrattas, with whom they have no natural connection. A reference to the map

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will show that the Dhárwár province makes a deep indentation into Mysore; that it is bounded on the south-east by Harpanhalle, and on the west by Súnda, both districts of this Government; and that its transfer to Madras would have the advantage of connecting these districts. This advantage is so obvious, that it has been proposed to take away the force of it by transferring Súnda from Madras to Bombay.

Jágírdars of Dhárwár not ancient hereditary chiefs.

From the manner in which the jágírdars are spoken of, it might be inferred that they are ancient hereditary chiefs of the country, who possess great influence over the people, and in whose fallen condition the people sympathize deeply. But there is no foundation for such a belief. Most of the jágírdars are strangers from the Konkan and the countries beyond the Krishna, and have no influence over the people. Appu Dessai, of Nepanni, is indeed a native, but never possessed any weight in the country. He is a younger branch of a family, the chief of which was potail of Nepanni, and of another village. He was first noticed by General Wellesley in the Mahratta war of 1803-4, for his activity as the petty leader of a few horse, and he was afterwards patronized by the Peshwah, who was fond of raising new men, and gave him jágírs and the title of sirlashkar. The Patwardáris, who are by far the most considerable of the jágírdars, are, I believe, strangers in Dhárwár, and were scarcely heard of until the time of Parasaram Ráo's father, or rather of Parasaram Ráo himself. They possessed none of that rank or consequence which belonged to the Gorpani and other Mahratta families, which held hereditary chiefships. They were, like most other jágírdars, mere servants of the Peshwah, who hated them, and would have stripped them of their jágírs, had he not been prevented by the British Government. These observations are made, in order to show that Dhárwár is not a Mahratta province, held by these jágírdars as hereditary chiefs, but a Canarese province, in which they are strangers, and in which their still having jágírs is owing to the accidental interference of the British Government; and that there can be no reason why the rights and privileges of those chiefs should not be as well secured to them under the Madras, as under the Bombay presidency. We know from experience that a Mahratta chief of much higher rank and antiquity than any of them, the jágírdar of Sundúr, in

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Ballári, a member of the Gorpani family, lives contentedly on his jágír between Harpanhalle and Ballári, and is well pleased at his separation from Poona.

Argument on the score of distance unimportant.

The argument in favour of the transfer to Bombay, founded on the distance of that place from Dhárwár being only 290 miles, while that of Madras is 400, is not of much consequence. In the extended state of our Indian territory, it is of little importance whether a place is 300 or 400, or even 500 miles from the capital. There may be circumstances of climate and national connection which may render the more distant Presidency more convenient than the nearer, for the purposes of good government and the comfort of the people. The inhabitants of all countries above the Ghâts have a great dislike to descending the Western Ghâts to the Malabar coast, but have none to descending the Eastern Ghâts to the coast of Coromandel. An inhabitant of Mysore will much rather come 300 miles to Madras than go 120 to Cananore. There cannot be the smallest doubt that a native of Dhárwár would much rather come to Madras than go to Bombay, because by going to Bombay he would experience a much greater change both of climate and of people, and would incur a much greater risk of sickness; and that therefore it would be much more convenient for the personal intercourse of the inhabitants with the seat of government in all their affairs, to be under Madras than Bombay. Mere distance, however, never has been nor can be the rule for the annexation of territory to any particular Presidency. Were it admitted, it would transfer many of the Bengal conquests, and even Delhi itself, to Bombay.

Dislike of the inhabitants of districts above the Western Ghâts to the Malabar coast.

Transfer of Dhárwár to Madras will enable that Presidency to pay its own expenses.

It is certainly desirable that each Presidency should be able to defray its own expense, because there is always some inconvenience in being obliged to depend on another for its resources. I do not, however, consider this as a matter of primary importance in the distribution of territory. Yet, as far as it goes, it is in favour of Madras, because neither Madras nor Bombay can at present pay its own charges, without aid from Bengal; but if Dhárwár be transferred to Madras, this Presidency will be able to answer all its own demands without assistance from Bengal, while, if the transfer be made to Bombay, its resources will still be far below its expenditure, and both Presidencies, instead of one, will still be dependent on Bengal.

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Section IV.

MILITARY.

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ON THE QUESTION WHETHER ADVANTAGE WOULD RESULT FROM FILLING UP THE CASUALTIES IN EUROPEAN REGIMENTS IN INDIA, WITH RECRUITS FROM EUROPE, INSTEAD OF RELIEVING ENTIRE REGIMENTS.

(*Evidence before Select Committee of House of Commons*, 12*th April*, 1813.)

Advantages of filling up casualties in British regiments in India by sending out recruits instead of relieving entire regiments.

I CONCEIVE that very great advantages would result from such a practice, because, by sending out recruits only, you have always veteran regiments. The recruits upon their landing are thrown into old regiments who are acquainted with the mode of living in the country, and the recruit soon becomes a perfect soldier. By sending out entire regiments, however excellent the officers may be, from their not being acquainted with the manners of the country and with the modes of living, a corps upon its first arrival, and sometimes for one or two years' time, is quite inefficient: if it is sent to the field, it is rather an encumbrance than an advantage to the army. There is likewise, by the system of sending out recruits instead of whole regiments, a considerable saving, not only in expense, but likewise in the lives of men; for when regiments are sent out in a body, from their inexperience in the country mode of living, a much greater proportion of them die, than among those recruits who are thrown into old veteran regiments established in the country.

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ON THE QUESTION OF ABOLISHING THE EUROPEAN REGIMENTS OF THE COMPANY AND CONFINING THE COMPANY'S ARMY TO NATIVE TROOPS COMMANDED BY EUROPEAN OFFICERS.

(*Evidence before Select Committee of House of Commons, 12th April,* 1813.)

The abolition of the East India Company's European regiments likely to be prejudicial to the efficiency of the entire army of the Company. The reasons for this opinion.

IF such a separation were to take place, I am of opinion that it would tend materially to destroy the efficiency of the Company's army. It has been a part of our military policy in India to raise the European character by all possible means, to employ Europeans only in leading the assaults of all places taken by storm, and to employ them in the field in all enterprises where courage is required. By a separation of the European part of the establishment from the native, the European part of the establishment will be exclusively employed in all those services in which military distinction or renown is to be acquired. In the sepoy service, the officers cannot be employed, except in all the lower drudgery and fatigue of war. They will in consequence sink in their reputation, and will become in time little better than a kind of country militia. The regiments will become somewhat like what the sepoys of the French Government formerly were, who, being separated from the European branch of the service, were commanded by officers of an inferior description. The officers, by being excluded from all great opportunities of signalizing themselves, would sink in character, and would be held in no estimation by the officers of the European part of the establishment. The sepoys whom they commanded, would likewise lose their respectability, and the whole native branch of the establishment would then become no better than a native army is, when commanded by Europeans, under a

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native prince. The European officers of the sepoy establishment, excluded from all distinction in India and in their own country, would become discontented, and they would most probably in time, sooner or later, by means of a civil war, effect the separation of India from this country.

Superiority of our sepoys over the French sepoys attributable to the European officers having been trained in European regiments.

The military character of the sepoy corps in the French service was very low, and they were by no means so efficient as the Company's sepoys. I should suppose that one regiment of the Company's sepoys would have dispersed three or four corps of French sepoys; and I am convinced that this superiority in the Company's sepoys has arisen entirely from their considering themselves as a part of a European army. The officers by whom they have been trained were bred in European regiments. After serving a certain time in European regiments, they were appointed to sepoy corps; and after remaining with sepoy corps some years, they were very often sent back again to command European regiments, or to serve in them; so that there was no distinction in the European officer, whether he was with a sepoy or a European corps. The Company's sepoy considers himself as forming an integral part of the British European army, and it is from that he derives his high character and confidence. By a separation of the European infantry, he would regard himself as no better than the common militia of the country. It would be impossible to maintain anything like equality in an army divided into two branches, in one branch of which the officers should be exclusively employed on all distinguished occasions, and the officers of the other branch excluded from having an opportunity of distinguishing themselves. Without equality, there can be no such emulation as there ought to be: among military men there must be something like equality to maintain it. In place of emulation, we should have jealousy. Our military establishments in India should be formed upon principles which, while they extinguish all jealousy, should kindle and keep alive emulation.

Efficiency of the Company's army would be increased by a considerable addition to the European infantry and cavalry.

The efficiency of the Company's army, I conceive, would be very greatly improved by a considerable addition of European infantry and cavalry—by such an addition as would enable every officer, upon his first going out from Europe to India, to be employed one or two years with a European regiment, until he had learnt his duty. He ought not to be transferred

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to a sepoy corps until, by previously serving with a European one, he had made himself master of all his duties, and likewise, by being in some degree acquainted with the character of the natives, qualified to command and to act with sepoys.

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REGARDING THE BODY-GUARD OF THE GOVERNOR OF MADRAS.

10th October, 1820.

Order of Court of Directors that the duties performed by the Governor's Body-guard should be assigned to a detachment from the Madras cavalry regiments. Objections to this arrangement: alternative plan.

The Honourable the Court of Directors having, in their military letter to Bengal of the 8th November, 1814, ordered that the Body-guard at Madras should be reduced, and that the duty should be performed by a detachment from the nearest cavalry regiment, and the Supreme Government having recently transmitted to this Presidency a copy of the Honourable Court's order in question, I am desirous that we should give it effect without delay. As I am, however, convinced that by relieving the guard from the nearest cavalry station no expense would ultimately be saved, that much inconvenience would be incurred by separating the men from their friends and families at Arcot when they come in succession to their homes at that place, and that the discipline of the corps, both of that part which remained with the head-quarters and of that which came to Madras, would be greatly injured, I would recommend that the recruiting of the cavalry be stopped until the men of the Body-guard can be borne upon the strength of regiments without being supernumerary; that the guard be composed of details from the different corps, with a commandant and adjutant as at present, and that His Excellency the Commander-in-chief be requested to issue the necessary orders. Experience has shown that this system is better adapted than any other to maintain the discipline of the Body-guard: it was under it that it was distinguished as the most efficient, perhaps, of all the cavalry corps in the field in Lord Cornwallis' campaigns, and that it behaved so gallantly against the southern poligárs.

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ON THE EXPEDIENCY OF SO ARRANGING THE RELIEFS OF NATIVE REGIMENTS THAT THEY SHOULD BE BROUGHT BACK PERIODICALLY TO THE DISTRICTS IN WHICH THEY WERE RAISED.

19th December, 1820.

Plan of systematic relief of regiments proposed by the Commander-in-chief.

I HAVE great pleasure in submitting to the Board the accompanying plan proposed by His Excellency the Commander-in-chief for the systematic relief at fixed periods of all the corps of the army, and I beg leave to recommend it for immediate adoption.

The reasons for this important measure are so fully and ably explained by His Excellency that I have nothing to add to them, further than to express my entire concurrence in the sentiment expressed by the Commander-in-chief.

Expediency of bringing back each regiment to the place in which it was chiefly raised once in six years.

The object is to bring back each corps to its own home, or place where it was chiefly raised, once in six years. I have long regarded this measure as one that was essentially necessary to secure the good order and fidelity of our native troops. These troops unite the character of a standing army with that of a militia. They owe this union to their attachment to their native villages, to the provision made for their families there, and to the custom of men of the same family, and often of a number of families related to each other, serving in the same corps. This character has been generally changing for the last ten or twelve years. The change has been owing to the long absence of a great part of the army from their homes at distant stations beyond the frontier, where they form new connections and forget their families. The consequences of this system have yet been

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but little seen; but there can be no doubt but that in time its effect would inevitably be to destroy the character of our native army, and to convert it into a body of mere mercenaries, finding houses and families wherever they went, ready to join in any disturbance, and dangerous to the State.

The plan of the Commander-in-chief, by being steadily pursued, will, I have no doubt, preserve the attachment and fidelity of our native army.

Plan calculated to preserve fidelity of native army.

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ON CERTAIN PROPOSALS FOR AUGMENTING THE NUMBER OF EUROPEAN OFFICERS ATTACHED TO THE NATIVE ARTILLERY.

21st January, 1821.

Inexpediency of assigning a large number of European officers to native corps. One European officer to each company quite sufficient.

In support of the expediency of the proposed augmentation of European officers with the golandáz * corps, it is observed 'that such a corps, being composed of natives, 'is as much, if not considerably more, dependent upon its 'European officers than any others.' This is a principle which has never yet been admitted with regard to our other native troops, and to the justness of which I cannot assent. I am so far from thinking that the efficiency of native troops is increased in proportion to the increased number of European officers, that I think that the number of officers may be too great, and that when this is the case, it injures the discipline of the corps and lessens the respect of the natives for their European officers. Native troops are quite orderly, and easily managed. The native officers are well acquainted with all their duties and expert in their execution. They conduct almost all the interior details, and leave but little for the European officer to do. They are, however, apt to grow indolent and careless when left to themselves, and European officers are therefore absolutely necessary to direct them; but not many. One to a company is quite enough for every useful purpose.

* *Golandáz*, native foot artillery.

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THE GREAT UTILITY OF THE CORPS OF PIONEERS.

30th January, 1821.

Utility of the corps of pioneers.

The report of the Quartermaster-general, dated 18th instant, exhibits in so clear and forcible a manner the useful services of the corps of pioneers, and the inconvenience that must result from any diminution of its strength, that I have no hesitation in recommending to the Board that the order for suspending the recruiting of that corps be withdrawn, and that it be kept complete.

How employed.

It will be seen from the distributive statement transmitted by the Quartermaster-general that the greater part of the pioneers are employed, under the orders of the Supreme Government, with the different subsidiary forces in advance, and that within our own frontier we have only two companies, the whole of which, with the exception of a small party doing duty in the cantonment of Bangalore, are employed in opening the Periah ghât between Mysore and Malabar.

May be made available for keeping the passes between the coast and the interior in repair, and for the construction of roads and buildings at military stations.

We have no inland navigation, and the only communications, therefore, between the coast and the interior, whether for military or commercial purposes, are the different passes, which are at all times difficult and often impassable from want of timely repair. Had we no use for pioneers with our armies, it would still be necessary to keep them up in order to repair these passes, as public work is essential to the trade of the country; for, if we did not, we should be obliged to have recourse to common labourers, who, from their want of skill, would be much more expensive. But the services of the pioneers are applicable, not only to the important works of opening and repairing passes, but to the construction of roads

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and temporary buildings at all our military stations, which would otherwise be executed at a greater expense by the engineers' department. The pioneers are at all times productive labourers: they are never idle, and as the works in which they are usually engaged could not be executed so cheaply by any other class of labourers, there would be no economy in reducing their number. The communications must be left open between the countries on the east and west coasts and those above the Ghâts; and if we have not pioneers, it must be done by common labourers and the lower class of cultivators, drawn together from a distance, and most frequently by compulsion, to work among unhealthy jungles, where many of them lose their lives, and where their labour, after all, is much more expensive, from the want of the necessary skill, than that of pioneers. Considerations, therefore, of humanity, as well as of economy, urge the propriety of maintaining the pioneers' corps at their full establishment.

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ON THE IMPORTANCE OF EFFICIENT BAZARS TO INDIAN ARMIES.

23rd Feburary, 1821.

THE Commissary-general has, in his report of the 24th January, so fully explained the inconveniences which are likely to result from the abolition of the exemption from transit duties on all supplies passing through the territories of Nizam and the Rájá of Nagpur for the use of the subsidiary forces, that I am induced to recommend that it be submitted for consideration to the Most Noble the Governor-General in Council.

Expediency of exempting military supplies from transit duties.

There is, perhaps, no one thing which so much facilitates military operations, and which contributes so much to their economy, and often to their success, as an efficient bazar. Our campaigns have been short and decisive, merely in proportion as our supplies have been more or less abundant. In the campaigns of Sir Eyre Coote in the Carnatic, from 1780 to 1783, our bazars carried nothing but salt, tobacco, and some other trifling articles. All grain for the army was carried either by the public, or by the troops and followers; and as nothing could be got from the bazar, this stock was soon exhausted, and the army was compelled to fall back on its magazines for a fresh supply. It could pursue no success nor attempt any distant operation, and the campaigns were in consequence long and the expense overwhelming.

An efficient bazar essential to the success of military operations in India.

In the Mysore war, under the Marquis Cornwallis, our bazars were little better than before. The native troops and followers were still obliged to carry five days' rice when they marched, and as no dependence could be placed upon the bazars, the public was obliged to maintain a most expensive establishment

Want of such bazars at the commencement of the Mysore war under Lord Cornwallis.

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of cattle for the carriage of grain. The army was obliged to make several retrograde movements to cover the advance of its supplies from the Carnatic. But towards the end of that war, our bazars were so much improved by exemption from transit duties, by high prices, and by occasional bounties when the prices were not favourable, that they afforded material aid to the public departments in supplying the troops and followers, and enabled the army to prosecute all its objects without any impediment on account of provisions. The experience acquired at this period, and in the campaign of 1799 in Mysore, led to the encouragement of military bazars, and to their consequent improvement at the principal military stations in advance; and hence it has happened that our native troops have not for many years been under the necessity of carrying five days' rice in their knapsacks, as formerly, and that our operations have not been impeded by the want of provisions. It is true that the facility of obtaining supplies in the present, compared with former times, arises from the extension of our territory and power, as well as from bazars, but in a much smaller degree.

Improvement resulting from their establishment.

As instanced by the operations in the Deccan from 1814 to 1819.

Every person who has seen an Indian campaign, knows how essential a good bazar is to the efficiency of the army, and without it how helpless it is. The facts stated by the Commissary-general show the vast advantages which have been derived of late years from the bazar of the Hyderabad subsidiary force in the operations in the Deccan. During the whole period that force was in the field, from 1814 till its return to Jaulnah, after the capture of Asseerghur in 1819, it was never necessary to issue grain from the public store to the troops and followers, and the occasional aid given to the bazar from the public department amounted only to about sixteen garce of rice. Had the bazar not supplied all the wants of the troops, it must have been done by Government, at an enormous additional expense, by doubling or tripling the cattle of the Grain Department, and with the disadvantage of retarding every operation by frequent halts in order to collect supplies to replace the deficiency in the public store, and of doubling the field charges of the army by the loss of time.

Reply to arguments against the exemption of military sup-

There are no disadvantages that can possibly ensue from the exemption of duties, that can be put in competition with the important benefits to be drawn from a military bazar.

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plies from transit duties.

The whole of the evil of exemption is merely the loss of the duties on the articles sold in the camps of the subsidiary forces of Hyderabad and Nagpoor, with some small addition for articles which, under passports for these camps, may have evaded the duties, and have been sold in other places. His Highness the Nizam can have no reasonable cause of complaint against the exemption, since it is stipulated for by an article of the treaty. Neither can his farmers of the customs suffer by it, as they take it into their calculation in making their proposals for them. These men, however, sometimes make use of the exemption as a pretence for endeavouring to obtain a remission in their kists, when there is not the smallest ground for their application. I have myself had occasion to see many instances of such applications by renters of the customs in the Company's territory, which, when investigated, were always found to be either wholly without foundation, or insignificant in their amount. Indeed, the custom farmers are usually too vigilant to let anything of this kind escape them, and the dealers are deterred from fraud by the dread of fine and confiscation to which they are liable. If anything further be deemed necessary to prevent the fraudulent evasion of the duties, it might be done by directing the commissariat to furnish the Nizam's officers with a register of all passes granted for supplies, at the moment when they are issued.

Advantage derived by the Nizam from our military bazars.

The remission of the duties is but a very small sacrifice, which the Nizam makes for the advantage which he derives from our military bazars by their demand for the produce of the country for a much larger body of troops than we are by treaty bound to furnish, and by the necessary increase of cultivation and revenue from this demand.

Exemption from transit duties essential to the maintenance of an efficient military bazar.

Without the continuance of the exemption from duties, there can be no efficient military bazar. The dealers belonging to them would be on the same footing as those of the towns, and would be undersold by them; and as they would no longer have any motive to submit to the restraint of martial law, and the hardships of a camp, they would soon disappear. The bazars, while stationary, might continue to be well supplied; but whenever the troops marched, most of the bazar men would remain behind, and Government would be forced to supply the want by an expensive establishment of

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cattle for the carriage of grain. We see examples of this every day on a small scale. When a corps comes down to the Carnatic from Hyderabad, it moves without difficulty, because it is attended by a part of the military bazar; but when a corps leaves the Carnatic for Hyderabad, it has no bazar, and the country is put in requisition everywhere to supply its wants. Such a bazar as can supply the wants of an army and facilitate its movements during war, cannot be formed at once, or got whenever it is wanted. It must be composed of men possessing some property, and accustomed to a camp life; but they must have some inducement in peace to secure their services in war, and no other will be found so cheap and effectual as the usual exemption from duties.

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REDUCTIONS IN THE MADRAS ARMY.

14th April, 1821.

Our military charges are so heavy, that it was my wish to have proposed at an earlier period some measure for effecting a considerable reduction of them, but several causes concurred to make me delay it. The great and sudden loss of men to which every corps that marched was exposed from the cholera, the unexpected requisition upon us for troops to supply the place of the Bombay corps sent to oppose the threatened invasion from Sind, and the uncertainty whether the expedition against the Arabs might not occasion some fresh demand upon us, rendered it unadvisable to think of making any reductions in our force until a season of greater tranquillity. That season appears to me to be now arrived. The Bombay Government have brought their military expeditions to a successful termination, and are not likely to require our aid: the Deccan is quiet, and the ravages of the cholera have so much diminished as no longer to affect seriously the strength of our corps. We may therefore, I think, safely venture to bring back our military expenditure to what it was in 1813-14, after making due allowance for the unavoidable augmentation of our army in order to occupy the countries conquered during the late war.

Causes which had delayed reductions of military charges.

Reductions of military expenditure now feasible.

The reports of the Deputy Accountant-general and of the Accountant-general have pointed out the causes of the great increase of military charges since 1813-14; and though it may be of less importance to understand how they have arisen, than how they are to be reduced, yet still a knowledge of both is necessary, because without it we cannot so easily perceive the causes by which we are prevented from bringing them back to their

Extent to which the reduction may be carried sufficient.

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former level. The chief, and indeed the only impediment, in our way is the demand for additional troops to occupy the countries conquered in the late Mahratta war. During the last twenty years, the demand upon us for troops has been gradually increasing, while our territory and resources have remained stationary. In 1800, the only troops we had beyond the frontier, were a body of about seven thousand men, composing the Hyderabad subsidiary force; and in order to defray the expense of this body the provinces of Ballári and Cuddapah, yielding a net revenue of about fifty lakhs of rupees, were ceded to us. We have been extensively engaged in every war in the Deccan since that period, but without any accession whatever to our territory. Our own resources, however, when we had only the Hyderabad subsidiary force beyond our frontier, and even when we had occasional detachments at Poona and in the Southern Mahratta country, were more than sufficient to cover every charge; but when we became engaged in the Pindári warfare, and afterwards in the general war with the Mahratta states, and when our quota of troops beyond the frontier was increased from 7000 to 26,000, as it stood last year, they were utterly unequal to meet so heavy an augmentation of expense. This expense, though incurred by Madras, does not belong more peculiarly to it than to any of the other Presidencies, because it was incurred on account of the general interests of our Indian empire. That empire, however, having been greatly extended, requires additional troops to protect it, which, if not furnished by Madras, must be furnished by Bengal or Bombay, and it is of less moment by whom this is done, than that it should be done in the manner most advantageous to the public. Madras, from its local situation, from its long established possessions in the peninsula, and from its native armies being composed of inhabitants of the Deccan or men of the same language and habits, is better calculated than any of the other Presidencies to supply the extra force now employed in that province, and whatever more may be at any time required, with expedition and economy. Assuming, therefore, that this extra force must be maintained by us, and that consequently we cannot revert to the same military establishment we had before the late war, we have only to consider what reduction can with propriety be made in our existing establishment. Down to

Increased demand of late years upon the Madras Presidency for troops.

Resources of the Presidency unequal to the increased expense.

The expense, however, is really an Imperial charge.

Madras better able than any other Presidency to supply the extra force in the Deccan.

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the year 1813-14, our then military force upon the peace establishment, with the exception of the corps at Hyderabad, which were upon the war establishment, was found adequate to every ordinary purpose. We have now, in addition to the countries which we then protected, to cover the Nagpur territory and the southern Mahratta states; but the late augmentation of our army, even upon the peace establishment, will be fully equal to this object. In 1813-14, several powerful Native States existed in the Deccan, whose hostility was always to be dreaded; but now these States have either disappeared or fallen so much as to be no longer formidable, and the frontiers of the different Presidencies have been so much extended as to bring their several armies into communication with each other in the centre of the peninsula; so that, though the territories to be protected by Madras have been greatly increased, there can be no doubt that the military force has been augmented in a still greater proportion, and that it is now more equal than it was then to the effectual protection of all the provinces which it occupies. I have therefore no hesitation in recommending its reduction to the peace establishment. The same amount of reduction may be made by reducing either the number or the strength of corps. I prefer the reduction of the strength of corps, because it is more easy, more gradual, less likely to produce distress or to disturb the peace of the country, already too full of the disbanded troops of the native powers, and because it leaves the army more efficient, more capable of being speedily augmented upon any emergency, and better adapted to the proposed system of general periodical relief. It is evident that if the corps beyond the frontier were upon the war, and those within it upon the peace, establishment, frequent reliefs could not be made without much inconvenience and confusion; that we should in many cases have either too many or too few men for the object in view, and that in order to equalize these inequalities, we should be obliged to divide many of the corps and injure their discipline. These inconveniences will be obviated by having all the corps of each branch of the native army of the same strength.

Armies may now be placed upon the peace establishment.

Reduction of the strength of corps preferable to reduction of the number of corps.

In reducing we must be careful in distinguishing between what can and what cannot injure the efficiency of our army, and what can and what cannot be easily replaced. On this

Reduction of dooly corps inexpedient.

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principle it is not proposed to make any reduction of the dooly corps, as its strength is so inadequate to its duties that a considerable number of extra bearers is required to be constantly employed; but its present constitution may, I think, be revised, so as to prevent the growth of the pension charge, which, unless some alteration be made, will in a few years be very heavy. On the same ground, it is not intended to make any reduction of the corps of pioneers, because their labour is so generally applicable to every public work, civil and military, that it will more than repay their expense. They are employed, not only in every useful work about camps and cantonments, but in opening passes among the hills, to facilitate the commercial intercourse between the countries above and below the Ghâts. Many more of these roads are wanted for the convenience of trade, which is much impeded by the circuitous and difficult routes by which it is obliged to proceed. Common labourers are not always to be found where such works are to be executed; and even where they are, they work so slowly and unskilfully, that their labour becomes much more expensive than that of pioneers, and I am therefore satisfied that public economy would be better consulted by the augmentation than by the reduction of that corps.

Also of the pioneers.

No reduction to be made in the breeding establishment or public cattle department.

No reduction is proposed to be made in the breeding establishment and public cattle department, not only because of their great importance to our artillery in the field, and of there being no other breed of cattle equally good to replace them, but also because they are of general advantage to the country by having contributed greatly to the introduction of an improved breed of cattle among the inhabitants, both for draught and carriage. The bullocks received from the breeding establishment are, perhaps, the best calculated for the use of an army, of any in India. The breeding establishment must be maintained on such a scale as to supply the number required; and as it is still unequal to this, no part of it can be reduced. The public cattle are not, in time of peace, an idle expense; for such part of them as are not immediately attached to the artillery of the different divisions of the army, are employed in transporting stores to different military stations, for which service, were they not available, it would be necessary to hire cattle at a heavy expense.

I have already said that the several corps of the native

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Reduction to be effected by stoppage of recruiting and by enabling men to take their discharge.

army may safely be reduced to the peace establishment. This should be done immediately by an order to stop recruiting, and by letting every man be discharged who wished it. There are in almost every corps several men who want their discharge, though they have not served their time, and are not entitled to be invalided or pensioned. Their discharge should be granted whenever it can be done without reducing the strength of the corps below the fixed establishment. If this measure be adopted, each regiment of native cavalry will be reduced to 560 troopers, and each battalion of native infantry to 800 rank and file, including the six extra battalions. In reducing the golandáz battalion, we have no former standard to revert to; but, as it is a new corps, and one which we do not know to be so essential a part of our military establishment as the other branches of it, I would recommend that it be reduced as follows:—The golandaz battalion to 760 rank and file; the gun lascars to 450—and that its establishment be conformable to the accompanying list.* These reductions, when carried completely into effect, will produce an annual saving of about Rs. 1,268,898. If the Board agree to them, the statement required by the Bengal Government may be immediately prepared, showing the whole of our military expenditure divided into permanent and temporary, the reduced establishment forming the permanent and excess the temporary charge.

* It has not been thought necessary to print the tabular list here referred to; the golandáz artillery having been abolished after the mutiny of 1857, as well as the native horse artillery.

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ON THE INEXPEDIENCY OF CERTAIN PROPOSED CHANGES IN THE MANAGEMENT OF THE COMMISSARIAT DEPARTMENT.

17th August, 1821.

Orders of the Court of Directors regarding the commissariat.

THE Honourable the Court of Directors, in their correspondence respecting the commissariat, have directed 'that an 'annual report be made by the Military Board upon the com-'missariat to Government;' that the commissariat at all the Presidencies 'be kept on a similar and uniform footing;' and that 'the commissariat be made immediately dependent upon 'the Military Board, through whom the Government will 'receive all applications from the Commissary-general for 'allowances of money and other purposes, and by whom the 'commissariat accounts will be submitted, as is the custom 'in the department of supply.'

Inexpediency of the proposed changes.

These orders involve a very material change in the conduct of the commissariat department, and a conformity to the Bengal form of accounts. The commissariat had so completely answered the end of its institution that I was extremely unwilling to venture upon any alteration, until we should have seen what course the Supreme Government would adopt. We have received their plan, and also one founded upon it by the Military Auditor-general; and from the examination of both, I am only the more confirmed in my opinion of the inexpediency of the proposed changes, because they could produce no good, but would create much confusion and expense.

Efficiency of the commissariat has

In every great department, when any important change in its system of management is contemplated, the cause of such

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change should be either some evil actually experienced or the prospect of some considerable advantage; but in the present instance I see neither of these motives. When the Honourable Court issued their orders on this subject, their information regarding the commissariat was very limited, in comparison with that which we now possess. It reached only to four or five years of peace after its formation. It had not been exposed to the test of war, and it was therefore very natural that they should doubt its efficiency, and be desirous of devising means of improving and guarding it from abuse. But whatever doubts might have been at an earlier period entertained of the efficiency of the commissariat, there can be none now on this point with any person who has considered its operations during the late campaigns. We do not now speak of it on conjecture, but from a trial of eleven years of peace and war, in which it has amply realized the most sanguine expectations that could have been formed of it. What is it that we want? Why should we change what has been practically found so good for uncertain schemes of improvement? Allow the new plans the most perfect success, they cannot make us better than we are.

been proved by experience.

The disbursements of the commissariat from its formation till October amounted to ...	Rs. 50,659,080
The amount retrenched originally was ...	215,175
The amount admitted on re-audit was ...	214,724
The amount finally retrenched was	450

or something less than one rupee in the hundred thousand. It may be contended that this satisfactory result has arisen from the difficulty of retrenching in accounts which, in their nature, are chiefly contingent. This is true in part; but the main causes of it are the correctness of the accounts and of the principles on which the department has been constituted. If any mode can be contrived by which these contingent accounts can be secured from fraud or error, it will be an improvement worthy of adoption. They ought to be subject to the strictest scrutiny by the Military Board, or the Military Auditor-general, or by both; but the first audit of them should be made by the Commissary-general himself, as no other person can possibly be so well qualified to execute this task. The more we remove the commissariat from the control of Government, in order to place it under that of the

Commissariat accounts cannot be effectively audited, unless the first audit is made by the Commissary-general.

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Military Board, the more we shall injure the public service. The greatest advantages derived from the existing system have arisen from the substitution of the management of the Commissary-general for that of the Military Board. Every branch has improved under the commissariat, and in none has the improvement been greater than in those which formerly were most immediately under the Military Board. If we desire to know the probable effect of the Military Board having a more direct authority than at present over the commissariat, we may form some estimate of it by comparing the results of their and his management on those parts which they formerly directed.

The Military Board have already more business than they can properly attend to.

The Military Board, so far from being able to undertake new duties, have already more than they can properly attend to. The Military Auditor-general seems to think that, as they direct the ordnance, they may also direct the commissariat; but I see no ground for thinking that the ordnance is so conducted as to make it desirable to throw any more business upon the Military Board. I believe that they superintend the ordnance as well as it is practicable, consistent with the necessary attention to their other duties; but I am satisfied that the business of the ordnance would be much better conducted by a single officer as Commissary-general of ordnance, than it ever can be by any Board whatever, and that the adoption of such a plan would produce a very considerable saving to the public.

Unsuitability of Military Board for the management of business involving detail.

There is no Board under the Government so ill qualified from its very constitution for the management of public business, but more especially of details, as the Military Board. The Board of Trade and the Board of Revenue have only one object to attend to, and the whole time of their members is devoted to it. But the members of the Military Board have severally their own particular departments, whose duties are sufficient to occupy them fully. They meet but once a week: they have done nothing to save expense in the commissariat. All suggestions on this head have, I believe, come from the Commissary-general himself, and generally in opposition to their opinion. They have no regular head; for the Commander-in-chief has not sat among them for the last ten years; but if it were otherwise, and if they could meet every day, it could not further the business of the commissariat, of

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which none of them can have any competent knowledge, and with the direction of which they could not interfere without detriment to the service.

Matters on which the advice of the Military Board is useful.

But though the Military Board must always be unqualified either to superintend the commissariat or to direct its details, there are matters in which the aid of their opinion may be highly useful to Government. On all military works, on all general arrangements, on all questions of importance, and on all matters relative to the defence of the country or preparations for war, they are peculiarly fitted, by their long experience, and by their extensive and intimate knowledge of the service and of the country, to assist Government with the most judicious opinions. But it is only on such general matters that their aid can be useful, and we ought therefore to call upon them to state by what means, without relieving the Commissary-general from any part of his present responsibility, the check and audit of his accounts might be rendered most complete.

The commissariat cannot be efficiently conducted unless its head has charge of the accounts.

It is essential to the success of the department that the Commissary-general should retain all his present powers and all his responsibility; for, whatever plans may be suggested, I am persuaded that his responsibility will always be found to be the best security of government, and that without it we can have none. He must keep the accounts, for they furnish the best means he can have of controlling his department. Such a department cannot be efficiently directed, unless the head of it has the charge of the accounts. The advantages of this are, that it keeps him at all times completely informed of the actual state of every part of his charge; it gives him a greater interest in it; it makes him feel his responsibility more; it saves expense; it saves the time of other public departments; it enables him to be clear and correct in all his statements, and to be expeditious in detecting errors and abuses. The exemption from the management of the accounts would be a great relief to him, but it would be highly injurious to the public interests. The plan proposed by the Military Auditor-general for the commissariat accounts, would destroy the department, and is too extravagant for adoption; but some of the reasons which he brings forward as objections to the present system of those accounts, deserve to be noticed, as showing that he has been able to find no

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real defect in them. He finds fault with the Commissary-general's correcting and auditing the accounts of his subordinate officers, previous to their being transmitted to the Auditor-general; but this practice appears to me to be one of the most useful parts of the system. It is no more than what every man at the head of every great department does or ought to do. A Collector examines the accounts of his subordinates and assistants and tahsildárs, and sends them back for correction, when necessary, before he forwards them to the Presidency. This saves the labour of re-audits and useless correspondence. It would be a vast advantage if the pay and other departments could all, like the commissariat, be so managed, and that no retrenchments could be made by audit; and that the correctness of their accounts could always be such as to force the auditor to pass them at once without retrenchment. What the Military Auditor-general regards as a defect, is in fact the very perfection of the commissariat, and that at which every department ought to aim. Their accounts would then be correct when first sent up to him, and after subjecting them to the strictest examination, he would have to pass them without remark. The public business would then go on as it ought to do. That would then be done in the first instance which is now done after much vexatious labour and delay, and so much of the time of Government would not be idly consumed in the discussion of petty audits. But the Military Auditor-general is so far from being aware of the inconvenience occasioned by Government being occupied in such details, that he proposes an arrangement which would involve them in a great deal more. His plan of keeping a separate account with every subordinate commissariat officer, and of their corresponding with the Military Board and the Auditor-general direct, would be to establish twenty commissariats in place of one, each of which would cost more trouble to manage than the whole does now. It would be a source of weakness throughout the department, of inextricable confusion, of delays, of references without end, and of calls upon Government to adjust disputes.

Reply to objections raised against the present system.

The Military Auditor-general says that he has been but a nominal auditor of the commissariat accounts. But why so? He has had the same means as the Commissary-general: he got the same vouchers; and if he has passed any account not

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authenticated by proper vouchers, he has not done what was expected of him. But this is not the case. His real objection is one that cannot be removed in any possible way. He states that the commissariat accounts are contingent, that no fixed rates apply, and that whatever rates are charged, must, as matter of course, be admitted and passed. This is surely no reason for transferring the accounts to the Military Board, as the same thing must happen wherever the accounts are placed. The rates must always be contingent, as now; and the Military Board must take them from the accounts of the subordinate officers, and will not be so capable of checking them as the Commissary-general. It is true that an audit can have very little effect in ascertaining the rates or prices actually paid by the native agents of the commissariat; but it can ascertain those paid by the subordinate commissariat officers, according to their vouchers and affidavits. It can also perfectly ascertain all quantities delivered by the commissariat to other departments, and it can ascertain with precision that no hire has been charged beyond the regulated rate. It is hire which forms the chief expense of the commissariat, and as it can always be kept within the authorized limits by the Military Auditor-general, it can hardly be maintained that his audit is entirely nominal. It is as real as the nature of things admits of, and it could not be made more so by transferring the immediate control of the accounts of the subordinate commissariat officers to the Military Board. This would, in fact, be to revert in a great measure to the very system which had been abandoned, after full experience of its incompetency, when the commissariat was first established.

The present system should be strengthened, not altered.

I have dwelt the longer upon the regulation proposed by the Military Auditor-general, because when we find that an officer of such long experience and of such acknowledged zeal can produce nothing better, it appears to me that it ought to weigh with us as a very strong argument against changing any of the fundamental principles of the present commissariat system. We ought therefore, I think, not to alter, but to strengthen them by every means that can be devised. The two heads under which abuses can most easily be committed, or be carried to any considerable extent, without being liable to detection by the Military Auditor-general, are the prices of supplies and the hire of cattle and followers. A commissariat

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subordinate officer, or his native servant, may charge in the provinces ten or twenty per cent. above the actual price for rice or gram without its ever becoming known to the Military Board. The fraud could not be discovered by getting prices current from the Collector or other public officer, because the commissariat, by a sudden demand, can always affect the bazar prices, and it can often, even without meddling with the bazar, by dealing with the cultivators, furnish the article at a much lower rate than the price current would exhibit. In the hire of cattle and followers, abuses may be practised by charging the regulated rate, though they were obtained at a lower one. The regulated rates are those which from long experience have been found necessary. They are lower than in former times; but another important difference between those times and the present is, that the maximum was then always charged, whereas a much lower rate is now frequently charged. The fluctuation of the prices depends upon a variety of contingencies which cannot be foreseen, but which a zealous and intelligent commissariat officer will avail himself of for the benefit of the service. But if, in the case either of hire or of price, more be charged than was actually paid, Government can have no other check upon the evil than the vigilance of the Commissary-general and his officers; every other would, I am convinced, prove delusive. But for this purpose the Commissary-general must have the charge of the accounts. The most important part of the system is that the head of the department should have the accounts. Without them he would lose gradually his attention to the transactions of his subordinate officers. He would become a general superintendent without knowledge of the real state of the department. His subordinate officers would lose their fear of control and become careless. The native servants would take advantage of it. Expenses would increase. Regularity might still appear everywhere, and all the customary checks and forms be preserved, but the spirit which rendered them efficient, the constant and active control of the head whose character and interest were at stake, would be gone.

The Commissary-general should be relieved from no part of his present duties.

As I am satisfied that the complete responsibility of the Commissary-general for every branch of his department is the only effectual security that Government can have for its being either ably or faithfully conducted, I think that he ought not

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to be relieved from any part of his present duties or responsibility; but as it is desirable that every means by which his accounts may be most strictly checked and audited should be adopted, and as the Honourable Court have directed that they be submitted to Government through the Military Board, I propose that the Commissary-general, after making up his accounts in duplicate and monthly as usual, shall send one copy with all the original vouchers and affidavits of the subordinate officers to the Accountant-general, and the other copy to the Military Board for their examination and report, and that, if it be deemed necessary, he shall also send with the vouchers the original accounts of the subordinate officers.

Report called for as to the possibility of introducing a more rigid audit of the Commissary-general's accounts.

I likewise recommend that we call upon the Military Board and the Military Auditor-general to state whether, leaving the Commissary-general exactly as he now is, charged with all his present duties and responsibility, there are in their opinion any means by which his accounts may be more effectually scrutinized, or more rigidly and completely audited than they now are; and, if so, to point out in what way this may best be done.

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ON ARMY REDUCTIONS.

14th September, 1821.

Proposed reduction of six extra battalions.

It has long been my intention to propose to the Board the reduction of the six extra battalions; but various considerations have prevented me from bringing it to their notice until the present time. During the greater part of last year the chance of the Bombay Government being involved in a war with Sind precluded our making any reduction of our military force; and in the present year, though the alarm of war has passed away, there are still so many disbanded troops of the different native princes scattered over the country, that it might be imprudent to add to their number by disbanding any of our own battalions. The cessation of recruiting, which has already been ordered, will add considerably to the number of idle men who cannot find employment; and if we augment this body by any sudden reduction of our troops, if it did not affect the peace of the country, it would undoubtedly cause much distress and some discontent; and this feeling would extend in some degree to the whole of the native army, because the men of the corps to be disbanded are in general connected with those of the permanent establishment. I have therefore thought that it would be advisable to effect the proposed reduction, not by suddenly disbanding any of the extra battalions, but by incorporating them gradually with other corps. This might be done by permitting the men to volunteer into such corps as they might prefer, and discharging the few who might be unwilling to serve any longer. The extra battalions might in this manner be all reduced within twelve months from this date. Two battalions might be

reduced at a time, at intervals of three or four months, as might be found convenient. These details will all be provided for by the Commander-in-chief, who ought to be requested to communicate his sentiments on the measure, and his plan for carrying it into effect, to the Board.

Our military force should be sufficient not only for internal security, but for offensive operations.

I have always thought that our military force should be such as to enable us, after providing for our internal security, to have an adequate force for offensive operations; and also that it should be such as to enable us in time of peace to furnish regular periodical relief to every station, so as to bring back each corps, within a moderate limited period, to the place from which it first marched. A distribution of the army, having these objects, was prepared by order of the late Commander-in-chief, and from this scheme it appears that without including our extra battalions, the regular army can relieve all its stations, including Nagpur, and Khandesh, so as to bring back every corps to the point from which it originally moved, in six years.

Advantage of having a Madras force at Nagpur.

The reduction of our extra battalions, therefore, has no connection whatever with the recall of our subsidiary force from Nagpur, which, we have lately been apprized by the Supreme Government, is to take place after the rains. Indeed, had there been no more important question than the convenience of this Presidency concerned in the charge, I should have wished that things should continue as they are, because we derive very important advantages from having a force stationed at Nagpur. It places us in the centre of India, in a plentiful country, with a force always ready to move, and which from this circumstance is an excellent military school. It enables us, in case of hostilities in any of the neighbouring countries, to act vigorously and speedily; whereas, if we send a force from within our frontier, it is harassed and exhausted, and all its equipments impaired, before it reaches the scene of action; and it has also a powerful influence in securing the tranquillity of our Northern Sirkárs and facilitating the trade between the interior and the coast, because the frequent march of troops between the Sirkárs and Nagpur by the northern and southern roads, which have lately been explored, tend to overawe the petty chiefs whose territories lie behind the Sirkárs, and to deter them from permitting incursions into those provinces.

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ARRANGEMENTS FOR PROVIDING AN EFFICIENT GARRISON FOR THE TOWN OF MADRAS.

22nd February, 1822.

Unmilitary disposition of the native regiments belonging to the garrison of Fort St. George. Sketch of the proposals made for remedying it.

THE unmilitary manner in which the native battalions composing the garrison of Fort St. George are cantoned, has long been a subject of much anxious concern to Government, and though it has undergone frequent discussion, nothing effectual has been done to remove the evil. Sir Samuel Achmuty proposed to remove the native troops from the Black Town Barracks to a great cantonment which he recommended to be formed near St. Thomas's Mount. Sir George Barlow objected to this measure. He did not apprehend any tumult at Madras; but he thought that a strong force on the spot was the best preventive, and that if it were weakened, as proposed by the Commander-in-chief, the most fatal and extensive mischief might be committed before any assistance could be drawn from a cantonment so distant. He recommended that if ground sufficient could be found, either in the Black Town or near it, for two battalions, barracks for the men and officers should be erected at the public expense; that the battalion of Chintádrapet should not be removed, but kept to overawe the numerous Mahomedan population of Triplicane; and that all the native corps should be relieved every one or two years, to prevent their forming improper connections with the inhabitants.

In pursuance of the plan of Sir George Barlow, the Military Board were directed to submit plans and estimates for cantoning the native corps at the Presidency. The situation selected for this purpose was on the intended esplanade,

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but it was relinquished on account of the estimated expense of purchasing and clearing the ground, amounting to pagodas 118,670.

The Board,* in their military letter to England of August, in the same year, state 'that the officers continue to be lodged 'and the sepoys to be hutted in the same dispersed, incommodious, unmilitary, and disreputable manner;' that they still persevere in their attempts to remedy the evil, but that a satisfactory arrangement will be found impracticable without a considerable disbursement. In their letter of the 31st December following, they again refer to their proceedings on this subject.

Difficulty of cantoning four battalions in a single cantonment at Madras.

Sir John Abercromby, in a Minute dated the 4th March, 1814, observed that the great population of Madras and its vicinity had not left ground unoccupied fit for the cantoning of four battalions; that the few places to be had, were ineligible, either from distance, from the nature of the soil, from being liable to inundation, or from the high price of the ground, and that it therefore became necessary to abandon the idea of a cantonment, and, in lieu of it, to concentrate each corps in its separate position as much as possible. He recommended that each corps should be hutted near its place of arms, and that the officers should be quartered as near them as possible.

Government, in forwarding this Minute to the Honourable Court of Directors, stated that measures were in progress for carrying the measures proposed into effect.

The Honourable Court, in their letter of the 3rd November, 1815, approved of the formation of a cantonment for the native troops composing the garrison, and the procuring of ground for the quarters of the European officers, but they disapproved of the officers' quarters being erected at the public expense. The Government, in answer, observed that the relinquishment of the intention to form a cantonment, and the arrangement adopted as a substitute for it, had been reported in their letter of the 10th March, 1815.

The Honourable Court expressed their regret that a piece of ground sufficient for a cantonment could not be found at a moderate price, and approved the plan of concentrating the

* The word "Board" is used here and in other Minutes as designating the Government, *i.e.* the Governor in Council.

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officers and men of each corps in the lines of their respective battalions.

This plan, however, imperfect and unmiltary as it is, has not been effected, and I believe that the Board are satisfied that it cannot be effected except at an extravagant price.

There is only one battalion, that near the naval hospital, which has convenient hutting ground near its place of arms. The huts of the corps at Parsawákam were carried away by the storm, and they are always liable to inundation in the rainy season. The corps at Chintádrapet has no regular hutting ground, and the native officers and many of the men are dispersed about in the houses of the inhabitants, for which they are obliged to pay a heavy rent; and no one corps has its European officers with it, as they are unavoidably scattered wherever they can find quarters.

Inconvenience to native troops resulting from dearness of provisions, etc., at Madras.

The native troops suffer great inconvenience from the dearness of all articles, from the want of room, and from the rent which many of them are under the necessity of paying. They are, though straitened for accommodation, regarded by the inhabitants in the vicinity of their respective barracks as intruders, and even as a nuisance. From all these circumstances bad feelings are produced, and a corps seldom leaves the Presidency without being reduced to poverty and impaired in its discipline. The only remedy for the evil is the cantoning of the troops in a body, and as this cannot be done in Madras or its vicinity, it must be done somewhere else. I have, in communication with His Excellency, fixed upon a spot for this purpose about three miles beyond the Mount, on the Chingleput road, between the Palaveram hills and the Marmalang river. The Collector has already, at my request, made arrangements with the inhabitants, but it still remains to render the transaction official by a communication to the Board of Revenue.

Only remedy, the cantonment of the troops in a body at some distance from Madras.

Distance rather an advantage than an objection.

I do not regard the distance as an objection, but rather as an advantage. The regiment of Europeans, with the native troops on duty at the Presidency, and the Body-guard, are quite sufficient to repress any common disturbance. In the event of any extraordinary tumult or conspiracy, it is better that the troops should be without its range. As they are here situated, some of them might be seduced and join the insurgents, and each corps might be separately surprised and over-

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powered before it could be assembled and joined by its officers. But were they at such a time cantoned beyond the Mount, they would be unconnected with the insurgents, and they would march down in regular order with their officers, and would reach Madras in four or five hours, and would quell the disturbance much more easily than if they had been cantoned on the spot. I am therefore persuaded that a cantonment beyond the Mount is much better adapted than one at the Presidency to overawe the discontented part of the population, and to suppress any serious disturbance which may occur. The vicinity of the Mount, and the constant supply of water from a running stream, make the situation at Palaveram preferable to any other. In cases of emergency orders might be transmitted in the course of a few minutes from Madras to the Mount and the cantonment by means of signals, and the native troops might be joined on their march by any part of the artillery at the Mount which might be thought necessary.

The acting Chief Engineer should be directed to furnish plans and estimates for a cantonment for four battalions. In conformity to the orders of the Honourable Court of Directors, no expense will be incurred on account of quarters for the European officers, but ground will be allotted to each officer according to his rank.

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THE COMMAND OF THE MADRAS GARRISON.

10th May, 1822.

Question whether the cantonment at Palaveram should be under the immediate authority of the Governor.

As it has been already determined that a new cantonment shall be erected for the reception of the native troops composing the garrison of Fort St. George, and as this cantonment is beyond the line which has usually been regarded as the boundary of Madras, it becomes a question for the consideration of the Board whether or not the troops transferred to that cantonment should continue under the immediate authority of the Governor.

In the case of an ordinary garrison such an arrangement would be undesirable.

Were the case that of an ordinary garrison, there can be no doubt that it would be more consistent with military principles that troops so situated should not be under the command of the commandant of the garrison, but under that of the general officer in charge of the division in which the cantonment lay. This, I believe, is the arrangement established at Barrackpore, which furnishes the reliefs of native troops for the garrison of Fort William, and which has not been found productive of any inconvenience. It may also be urged in favour of this plan, that the discipline of the troops would be more efficiently superintended under the authority of the officer commanding the division, than under that of the Governor.

Arguments in favour of placing the cantonment under the immediate authority of the Governor.

Notwithstanding these arguments, there are many on the other side in favour of the cantonment being placed under the immediate authority of the Governor. This measure involves much less change than the other. It is more conformable to ancient customs. It neither adds to nor takes away from the command of the Governor a single sepoy. It does not, as in the other case, transfer from his

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authority to that of the Commander-in-chief the greater part of the native troops of his garrison. It makes no change in the present system, except in continuing his command over the native troops of the garrison, when they are removed to quarters at a greater distance than those they now occupy. The present limits of Madras extend to the distance of about five miles from the fort, and had it been possible to have got within them a piece of clear ground calculated for a cantonment, the command of it would of course have been retained by the Governor. The want of good ground has obliged us to fix the cantonment at the distance of ten instead of five miles from the fort. The mere circumstance, however, of this increase of distance does not appear to furnish any sufficient reason for the Governor's relinquishing the command of the troops. Neither do I think that the argument in favour of the Governor's giving up the command, founded on the improvement which the discipline of the troops would derive from the measure, has much weight. The difficulty of maintaining the discipline of the native troops of the garrison of Fort St. George is not a new thing: it has always existed, and has arisen from causes which must be prejudicial to discipline, under whatever authority the troops may be placed. It has arisen from the nature of their duties, from their being mixed with a great population, from the quarters of the men and officers being distant from each other, and from the want of ground for exercise. These evils will be remedied by bringing the men and officers together in the new cantonment. The troops will then be subject to the same discipline, and have the same chance of being kept in good order, as the rest of the army. They will be reviewed and inspected by the officer commanding the division whenever he may think it necessary. Their being ordered upon duty by an order from the Town Major, in place of the Adjutant-general, cannot materially affect their discipline. It may be said that this latter mode might answer here as well as at Fort William, but there are many things which may render what is suitable at the one place not so at the other. Troops are frequently wanted by the Nawáb for festivals and other occasions. They are sometimes required by the Superintendent of Police to prevent riots; and though they might no doubt be called down by an order from the Adjutant-general's office, it is more convenient that

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it should be done through the Town Major, under the authority of the Governor, without the necessity of reference to the Commander-in-chief.

Fort St. George open to sudden attack by sea. Immediate control by Governor of troops forming the garrison, in accordance with ancient usage.

Fort St. George is not, like Fort William, secured by its situation from any sudden attack by sea or land. It is in a province which has often been the theatre of war. It is on the sea coast, among the European settlements, and near Pondicherry, the ancient head of the French establishments in India; and these considerations may still render it advisable that the Governor should possess immediate control over all the troops belonging to the garrison, wherever their cantonments may be. This is conformable to the ancient usage of this Presidency, and we have no reason to suppose that the Honourable the Court of Directors would approve of any deviation from it. The Honourable Court have always shown themselves desirous of maintaining the authority of the subordinate civil Governors. That of the Governor-General is so paramount to every other as to require no support; and the immediate command of the troops at Barrackpore is therefore of little importance to him. But with respect to the Governor of Fort St. George's commanding the new cantonments, the case may be very different. There can be no doubt, I imagine, that the authority of the Governor derives weight from his command of the troops belonging to the garrison, and that it must be in some degree lessened by any part of them being withdrawn from his immediate control.

Position of subordinate civil Governors different from that of the Governor-General. Their authority should not be lessened.

Question should be referred to the Court of Directors.

The Honourable Court are themselves the best judges of their own intentions in giving military authority to the Governor of Madras, and of the limitations to which it should be subjected. I am therefore of opinion that the question should be referred for the decision of the Honourable Court; and that, until their answer be received, the troops at the new cantonment belonging to the garrison of Fort St. George be under the immediate authority of the Governor, in the same manner as when within the limits of Madras.

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ON THE SAME SUBJECT.

28th May, 1822.

Dissent of the Commander-in-chief from the opinion expressed in the preceding Minute.

The opinions contained in my former Minute regarding the Governor's authority in the new cantonment have been so fully supported in the Minutes of the junior members of the Board, that, had not the Commander-in-chief entered his dissent, I should have thought it unnecessary to have said anything more upon the subject; but the respect due to such high authority requires that I should enter into some further explanations.

Erroneousness of the construction placed by the Commander-in-chief on the Governor's commission.

His Excellency states that he enters his 'solemn dissent 'to the proposed extension of the Governor's authority over 'troops stationed in a position beyond the defined limits 'prescribed to him by his commission.' It does not appear that any military limits were fixed for the Governor's command; they seem to have been left to the discretion of Government. No specification of them is to be found on record. The limits mentioned in my former Minute were fixed by Government for the jurisdiction of the Supreme Court, without any relation to military authority, and contain St. Thomé and many other villages, besides the town of Madras. The words in the Governor's commission are, 'Commander-in-chief of our fort and garrison of St. George, 'and town of Madraspatnam, and of all the forces which 'are now, or hereafter shall be, employed for the service of us, 'the said United Company, within the said fort, garrison, 'and town,' etc. If it be said that the meaning of these words is that the Governor shall command only 'within the 'said fort, garrison, and town,' this meaning has never yet

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been acted upon. The greater part of the troops composing the garrison is now, and has been for forty years, stationed at different places one or two miles distant from the fort and town, and ought now, according to this strict interpretation, to be as much beyond the immediate control of the Governor as at Palaveram. The meaning which has actually been given to the words in practice is, that the troops employed for the service of the Company in the fort and town, wherever their barracks may be, shall be under the command of the Governor. If we admit that this is the meaning which ought to be given to them, it will follow that all the troops destined exclusively for the service of the garrison of Fort St. George, whether stationed under the walls or at Palaveram, ought to be under the immediate authority of the Governor.

Considerations which should guide the decision of the question.

The question should not be considered as one of verbal distinctions, but as one involving the most important consequences. It should not be determined by any supposed analogy to anything in England, or even in Bengal; but should be determined solely with reference to the situation of the government and territories of Madras. It should be considered whether any advantage could possibly be derived from depriving the Governor of the command of the chief part of his garrison at the new cantonment; whether it would not too much weaken the authority which ought to belong to his station.

One of the objections stated by the Commander-in-chief to the measure of placing Palaveram under the Governor, is, that the road runs through the cantonment at St. Thomas's Mount. The direct road does not, in fact, pass through the Mount cantonment, but on one side of it, and, were it necessary, might easily be made to avoid it altogether. But these points regarding roads and distances are of little moment. The only one of any real importance is, whether the Governor ought or ought not to command the troops required for the garrison of Fort St. George, wherever they may be cantoned. I think that he ought; that his doing so is essential to the security and dignity of his government, and that no other limits should be assigned to his military command than such as may appear expedient to Government to be adopted with reference to the convenience of the troops belonging to the garrison of Fort St. George and the town of Madras.

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The territories of the Madras Presidency extend in breadth across the peninsula, and in length from Cape Comorin to Ganjam, above a thousand miles. Throughout all these territories the Commander-in-chief exercises direct military authority. I really cannot discover any rational ground for confining the Governor's command to the villages around Madras, or why he should not, in the midst of such vast territories, have a space of ten or fifteen miles over which he may possess direct military control. I know of no inconvenience which could result from this measure which deserves a moment's consideration when compared with the advantages which would arise from it.*

No rational ground for confining the Governor's military command to the villages around Madras.

* The arrangement advocated in this and the preceding Minute, of retaining the troops employed to garrison Madras under the command of the Governor, was continued for many years; but was eventually abandoned in 1859, on the recommendation of Sir Charles Trevelyan, when the whole of the garrison was placed under the Commander-in-chief.

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REGARDING AN INSUBORDINATE LETTER ADDRESSED TO THE GOVERNMENT BY THE MILITARY BOARD.

10th May, 1822.

Insubordinate letter addressed by the Military Board to the Government.

THE letter of the Military Board, under date the 2nd of April, to Government is written in a style so improper and disrespectful, that it ought, I think, to be marked by the expression of the displeasure of Government, and to be brought to the particular notice of the Court of Directors.

Summary of its contents.

It certainly was not to have been expected that a Board composed of individuals whose professional habits ought to have taught them what was due to superior authority, should have evinced a contempt of it, which, if permitted, would put an end to all subordination. They seem to consider themselves injured, because Government has thought fit to adopt the opinion of Major Moorhouse, the public agent for gun-carriages, that country linseed oil is better adapted than European for being employed in the painting of gun-carriages. They seem to call in question the propriety of the decision of Government, 'in preferring the opinion of an executive officer 'immediately under their orders' to that of their Board, 'deliberately formed and expressed'—as if Government were to exercise no discretion, but blindly to receive and sanction the opinion of its subordinate Boards. They doubt whether they ought not still to offer further remonstrance against the decision of Government, and they found this doubt upon the responsibility which they say the Honourable Court of Directors attaches to them, collectively as well as individually, for their proceedings. They seem not to know that whatever

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responsibility might have belonged to them, ceased whenever Government, after having their opinions, declined to sanction them. They persist, however, in virtually appealing from the decision of Government, by requiring the correspondence to be transmitted to the Honourable Court.

They know perfectly well that the papers would go home, and their only reason for requiring them to be sent, is evidently to protest against the decision of Government, upon the pretence of their responsibility. Nothing can be more subversive of every just principle of subordination, and of the respect due to Government, than the opinion that a subordinate Board has a responsibility which it does not owe to the local Government under which it serves, but to the Government at home. The opinion that a subordinate Board has a responsibility which it does not owe to the local Government, but to the Government at home, untenable.

It is the duty of Government to receive the opinions of its subordinate Boards, and to adopt them when they appear calculated to benefit the public service, but not otherwise; but it is as much its duty to reject what is likely to be hurtful, as to adopt what is likely to be useful. The Government must exercise its discretion as to adopting or rejecting the advice of subordinate Boards.

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ON THE OBSERVANCE OF THE PRESCRIBED CHANNELS IN CONDUCTING OFFICIAL CORRESPONDENCE.

28th June, 1822.

Irregularity in conducting certain correspondence.

There appears to have been some irregularity in the correspondence between the Deputy Adjutant-general of His Majesty's troops and the Military Board, as stated in His Excellency the Commander-in-chief's Minute upon that Board's letter of the 10th July, 1821.

Nature of the irregularity.

An application having been made to Government for sticks and masks for the use of His Majesty's troops in the sword exercise, it was referred to the Military Board; and the Government, on receiving their report, directed them to cause the articles to be prepared. The correspondence hitherto was, very properly, between Government and the Military Board, because it related to the expenditure of stores; but the subsequent correspondence related merely to the time and manner of issuing what had already been ordered, and was commenced by the Board themselves, and this irregularity was followed by another in their passing the indent without the countersignature of the Adjutant-general of the army. The letters of the King's Deputy Adjutant-general contained no order or requisition: had they done so, the Military Board could not have received them, because they can, as they observe, receive orders or requisitions only from Government, except in cases specifically prescribed by regulation. They might, however, without departing from the rules of the service, find means at all times to put His Excellency the Commander-in-chief in possession of any information he

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may require. The Board observe that, though 'communica-'tions have been received by our Board from the officers of the 'staff of His Majesty's forces, yet the instances have been so 'few as not in our judgment to warrant the practice being 'construed into a rule.' Had the Deputy Adjutant-general begun such a practice, it would have been their duty to have objected to it, but having begun it themselves they appear to have, on the present occasion, no just ground of complaint.

It is for the Government to determine what are the legitimate channels of correspondence.

I am not, however, sure that it would be advisable to concur entirely in the opinion of the Commander-in-chief, that he has 'a right to notify his wishes to the Military 'Board, or any other military body, through whatever legiti-'mate channel he deems most expedient or tending best to 'promote the efficiency of the service.' There can be no doubt of his Excellency's right of conveying his wishes through the legitimate channel; but there may be doubt, as in the present instance, as to what is the legitimate channel, and this doubt ought to be removed by a resolution of Government. Time may frequently be saved, and business be expedited, by employing one staff officer in place of another; but as it would soon lead to confusion, we ought not, for the sake of a little temporary convenience, to relinquish the principle of making every branch of business come through its own proper officer.

It is of little importance to the present question how the Deputy Adjutant-general of His Majesty's forces is appointed. It is sufficient that he is a public officer, acknowledged by the Government. But as his duties are confined entirely to the internal discipline and regulation of His Majesty's forces, he cannot be legitimately employed in duties of a general nature, or correspond with the Military Board, or any Board under this Government, unless specially provided for by regulation or sanctioned by Government.

The Military Board are a deliberative body, and, from their constitution, can receive orders from Government only. Their proceedings are directed by the Commander-in-chief, when he presides at the Board, in the same manner as is observed at the Boards of Revenue and Trade, under their respective presidents. All questions are determined by the majority of voices. The president guides their deliberations, but his authority extends no further.

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A SIMILAR QUESTION.

15th May, 1827.

Course to be taken with reference to a minute recorded by the Commander-in-chief.

After reading with attention His Excellency the Commander-in-chief's Minute of the 5th instant, I confess that I do not clearly understand what object is proposed to be attained by recording it. I shall endeavour to state in a few words the origin of the Minute, and the course which I think the Board ought to pursue regarding it.

Irregular submission of certain extracts from reports by the Deputy Adjutant-general of His Majesty's troops.

Certain extracts regarding barracks, hospitals, &c., from the inspection reports of officers commanding divisions were forwarded to the Secretary to Government in a letter from the Deputy Adjutant-general of His Majesty's troops, dated 22nd March. When this letter came before Government, it was observed that it was not the proper channel of communication for the matters to which it had reference, and that they ought to come through that of the public department prescribed by the rules of the service. All that was then necessary to have been done was for the Commander-in-chief to have withdrawn the letter, and to have brought the different points on which orders were required, through the regulated channel, to the notice of the Board. But as this was not done, the right course and the deviation from it were pointed out in the Minutes of Council, and this proceeding has called forth the remarks contained in His Excellency's Minute.

When the Government has prescribed a channel of correspondence, no individual has a right to adopt another channel.

Now, it is not necessary to inquire into the justice of these remarks. The real question before the Board is a very simple one. It is whether, when Government has prescribed the channel through which correspondence with it on public affairs is to be conducted, any individual has a right to adopt another because he thinks it better.

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This Government has always exercised the right of prescribing the channel through which all correspondence between it and every public officer and department must pass, and it has passed regulations for this purpose. In them every case noticed in the Minute is amply provided for, and the particular course through which it should have come to Government is laid down. That course is in every case through some public officer or department of Government, and never through the Deputy Adjutant-general of His Majesty's forces, and as long as the present regulations remain in force, the Board cannot consistently with their duty suffer them to be infringed.

The Government has laid down regulations on this subject.

When the established regulations appear to be defective in any point, it is competent to any Member of the Board to notice the defect and to suggest the remedy; and had His Excellency the Commander-in-chief brought forward a Minute to show in what respect the regulations are not adapted to their end, and how they might be improved, the proposition would have been taken into consideration by the Board, and either adopted or not, as might have seemed most advisable. But even if this course had been followed, I do not think that I could have supported the measure, because long established rules of public correspondence ought not to be altered, unless for the sake of some important improvement, and because I am convinced that the intended alteration, as far as can be gathered from the Minute now before the Board, would have been no improvement, but the reverse.

When the established regulations are considered defective, it is open to any Member of Council to suggest a remedy.

It is well known that nothing more facilitates the regular dispatch of public business than the observance of established rules of correspondence, that partial deviations from them are always attended with inconvenience, and that to alter them lightly and frequently must lead to endless confusion.

Established rules of correspondence should not be altered lightly or frequently.

The object of almost all rules of correspondence between Government and its officers is that its final orders on the subjects referred to it may be received with the least possible delay. If we compare the course which is to be pursued, according to existing regulations, for obtaining its orders on public buildings or any other matter, with that which is proposed by the Commander-in-chief, we shall find that nothing would result from the alteration but increased delay.

Object of rules of correspondence.

Throughout the present discussion the Government has

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Course taken by the Commander-in-chief.

been passive: the Commander-in-chief, a member of the Board, brings before us certain reports through an irregular channel, and when the proper course is pointed out to him, in place of adopting it, he reviews and arraigns the conduct of Government in a case of irregular correspondence in 1821, and trusts that it will 'retread the steps it has taken in error.'

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ON THE QUESTION WHETHER IT IS NECESSARY TO HAVE A EUROPEAN CORPS WITH EVERY LARGE BODY OF NATIVE TROOPS.

18th February, 1823.

Objections taken by the Commander-in-chief to the substitution of a native for a European corps in Travancore.

His Excellency the Commander-in-chief has dissented from my proposal of relieving the European corps at Quilon by a battalion of sepoys, instead of His Majesty's 41st Regiment, now in Fort St. George, on the following grounds:—1st. The danger from the disturbed state and actual rebellion in which the country has been within these few years. 2nd. The treacherous character of the inhabitants rendering it unsafe to place any confidence in the present apparent tranquillity. 3rd. That it was in Travancore that the most recent attempt was made to alienate the minds of our native troops, and that, by withdrawing the Europeans, they would again be disposed to similar temptation. 4th. The expediency of having a European corps with all large bodies of native troops, not only in order to check incipient discontent, but, in a military point of view, to assimilate discipline and accustom them to place confidence in each other.

Present condition of Travancore.

These arguments are all entitled to the highest respect, and were I not satisfied that some of them have not now the same force which they would have had some years ago, I would not have recommended the present measure. There has been no rebellion, or rather insurrection, in Travancore for above twelve years, and it ought certainly to create no anxiety now. Such disturbances have occurred in many other districts, as well as in Travancore, without creating any

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apprehension now for their tranquillity. They are the consequences which in almost all countries usually follow for a time the establishment of a foreign dominion. Malabar was long agitated by rebellion, and is now perfectly quiet; and though one regiment of Europeans is stationed there, it is not entirely for the purpose of keeping the country in subjection, but also for that of more general service, as it can, in case of emergency, be readily moved either to Mysore or by sea to Bombay; and Canara, which in the early part of our Government was disturbed by insurrections, and was occupied by a large European and native force, has long since been left to the care of a single battalion of sepoys.

Natives of Travancore not more treacherous than those of Malabar and Canara.

With regard to the treacherous character of the natives of Travancore rendering it unsafe to trust them, I can see nothing in all the transactions of that country to justify the opinion that they are more treacherous than the inhabitants of Malabar and Canara, or that they differ materially from them in their general character.

Nature of the attempt made in 1812 to seduce the native troops.

As to Travancore having been the place where the most recent attempt to alienate the minds of our native troops was made, that event took place in 1812, and ought to excite no apprehension of such attempts being repeated when the causes which produced them no longer exist. When we advert to these causes, we shall see nothing extraordinary in the attempts, and nothing which might not have happened in any other country as well as in Travancore. We had begun as allies by furnishing troops for the protection of that province, and we had finished in a very few years by reducing it to subjection. In such circumstances it was not at all extraordinary, but was perfectly natural, that the díwán should wish to recover his rank and power, and the independence of his country, by the expulsion of the invaders, and that, in order to give him a better chance of success, he should endeavour to seduce our native troops. He prevailed on a few to join in his projects, and his gaining these few seems to have been occasioned by the guard from one of the battalions being left too long near him, without being relieved, which gave him opportunities of tampering with them. It is true that, under the influence of alarm and the credulity which usually attends it, the conspiracy was by many believed to have been extensive, and to have extended to all the corps in

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Travancore. But Sir Samuel Achmuty, the Commander-in-chief at the time, after a full and able investigation of the evidence, has recorded his opinion that the conspiracy was of the most contemptible kind, that three out of four corps had no share in it, and that in the fourth corps it was confined to one jemadar and a few non-commissioned officers and sepoys of bad character.

Invariable location of a European corps with all large bodies of native troops, a measure of doubtful policy.

With respect to the expediency of keeping a European corps with all large bodies of native troops, in order to check incipient discontent, I have great doubt of the policy of the measure, because I think that it would show suspicion, without being efficacious in preventing the danger apprehended; for it is remarkable that in the only instance in which a conspiracy against the lives of the European officers was carried into execution, a European regiment was present, with only two battalions of sepoys; and yet that regiment was so far from being able to protect the European sepoy officers, that it lost a great part of its own officers and men, and was saved from destruction only by the timely arrival of troops from Arcot. I do not from this mean to infer that European troops may not be useful on such occasions, but that they do not furnish such security as can be entirely depended upon, or as ought to be purchased by any great sacrifice of convenience or economy. I think that the best way of ensuring the fidelity of our native troops is to show no distrust; but confidence at all times, to treat them well, to keep them occupied, to relieve the different stations regularly, to bring all the corps at certain fixed periods back to their respective native districts, and to take care that none of them be permitted to remain too long in any place where they are likely to be tampered with by any native chief.

Best means of ensuring the fidelity of native troops.

Insecure position of European corps in cantonments.

It appears to me that in all our cantonments our European corps are so situated as to be exposed to great danger, and to be incapable of acting efficiently in the event of any general conspiracy among the native troops. The European barracks are so near those of the sepoys as to be always liable to surprise. In order to be secure, they ought to be at some distance from them. This would enable the European corps to guard against surprise, and more effectually to overawe any combination of the native troops.

It will be obvious from what has been said, that I do not

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Continuance of a European corps in Travancore unnecessary and unadvisable.

consider it to be necessary that a European regiment should continue in Travancore. Were it necessary, I should not object to the expense which it would involve; but as it is not, I am unwilling that Government should incur a heavy expense for barracks, more especially when we have barracks for a complete regiment at Wallajahbad, Arni, and Vellore, without a single European soldier in either of them. There are also other reasons for withdrawing the European regiment from Travancore. In that remote situation it is not easily available for general service, not only on account of the distance, but of the violence of the monsoon rendering all access to Quilon by sea impracticable during several months in the year. It is likewise desirable, on account of the tranquil state of the country, and of the propriety of our gradually relinquishing all interference with its government, that we should by degrees reduce our force there, and begin by removing the European part. The force to be permanently stationed at Quilon should not be more than the Díwán, or the Rájá when he comes of age, may deem sufficient to secure the stability of his power. I shall probably on some future occasion state my reasons for thinking that Travancore may with safety be left entirely to the management of its own rulers.

The European regiment at Quilon should be replaced by a native corps.

For the present, I would recommend that the European regiment be replaced by a sepoy corps, which, I have no doubt, we shall be able to withdraw next year without any inconvenience. As it is believed that the 69th Regiment will be ordered home in the course of this year, it ought to halt and remain either at Arni or Wallajahbad, until the time of its embarkation. We shall thus avoid the inconvenience and expense of marching it into Fort St. George, and then out again in order to be drafted, and much of the irregularity which always attends the drafting of Europeans so near to the Black Town and to the artillery cantonment at the Mount.

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ON UNAUTHORIZED CHANGES IN THE DRESS OF THE NATIVE ARMY.

19th December, 1823.

Changes in dress of native army made without the sanction of the Government.

SOON after my last return to this country, I remarked that a considerable change had taken place in the form of the native infantry turban; but supposing that it had been duly authorized, I took no further notice of it at the time, and it was not until lately that I was induced by various circumstances to doubt that any such authority had been given, and that I found that no record existed of the change having been sanctioned by Government. The scales, similar to those of the European dragoons, now worn by the native cavalry on their turbans, is another innovation; and from the inquiries which I have been led to make by the observation of these changes, I am satisfied that several others have at different times been made in the different articles of dress worn by the native troops, without the knowledge of Government.

These changes are manifestly in direct opposition to the resolution of Government of ——* 1806, that none should take place without its previous sanction—to the G. O. of the 24th September, 1806, which distinctly prescribes that the turbans of the pattern fixed in 1797 should continue in force —and to the orders of the Honourable Court of Directors under date the 29th of May, 1807, approving of that G. O., and under date the 5th of March, 1817, directing that 'no 'alteration be permitted to be made in the turban.'

Government bound to see that its

It is the duty of Government at all times to see that its own orders and those of the Honourable Court are strictly

* The exact date is left blank in the original.

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orders about the dress of the native army are strictly observed.

attended to, but this duty is more especially imperious when the dress of the native army is concerned, innovations in which have formerly produced so much evil, and can never at any time be neglected with safety.

Inquiries to be instituted on the subject.

With the view therefore of enabling Government to see how far its orders regarding the dress of the native troops have been deviated from, and to judge what measures it may be expedient to adopt for the prevention of such irregularity in future, I propose that His Excellency the Commander-in-chief be requested to lay before Government, with as little delay as possible, copies of all general orders in any way affecting any part of the dress or necessaries of the native troops which may have been issued since the G. O. of the 24th September, 1806, to the present date, and also copies of all official letters on the same subject which may have been sent to officers commanding divisions, stations, or corps, during the same period.

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ON THE SAME SUBJECT.

20th April, 1875.

Result of the inquiries suggested in the preceding Minute.

In a former Minute regarding the changes in the dress of the native troops which had taken place of late years, I recommended that copies of all orders by which these changes had been introduced, should be laid before the Board. The papers required were in consequence transmitted with the Adjutant-general's letter of the 18th March last.

From an examination of these documents I find that the changes in question have been made, neither by orders from Government, nor by general orders by the Commander-in-chief, but under the authority of circular letters from the office of the Adjutant-general.

The practice of issuing circular letters on points of discipline and various details connected with the good order of the army has always existed; but the practice of issuing such letters for the purpose of making changes which, not only Government, but the Honourable the Court of Directors, have ordered not to be made, seems to have been introduced about fifteen or sixteen years ago, and to have grown up gradually into a regular system.

Unauthorized alteration of nearly every article of dress.

Under the authority of these letters, almost every article of the dress has been altered from the standard prescribed by the general order of Government of the 24th September, 1806. The form and ornaments of the turban have been entirely changed; the short drawers of the native infantry have been done away, and pantaloons substituted for them; the knapsack has been changed, and a haversack added to it; the articles of necessaries have been increased, and stocks have been revived, with the addition of neck-cloths.

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Some of the innovations are improvements; others not.

Among these innovations some are improvements, others are certainly not. The present turban is undoubtedly better than the old one; but it has still the main defect of not sitting steadily on the head. The present loose pantaloons are in some respects better than the former close short drawers. The natives, when left to themselves, and when they can afford it, always give the preference to long loose pantaloons; but the short drawers have the advantage of being cheaper and more portable. The circular letter of the 22nd January, by which the change was begun, assigns as the reasons for this 'that the short drawers are very inconvenient and not less expensive than the pantaloons.' These reasons cannot be seriously maintained. The short drawers had been in use for nearly half a century without their inconvenience having ever before been discovered. There can be no question that native troops march better in them than in pantaloons. Indeed, doubts seem to have arisen almost as soon as the circular letter was issued that the supposed advantages of the new dress were not such as would insure its adoption; for though, on the 22nd January, 1812, the change is made optional, and such corps are 'permitted' to substitute the pantaloons for the short drawers as 'may solicit the indulgence,' yet within a few days afterwards the option is done away by a circular letter of the 4th February, 1812, which desires the pantaloons to be adopted.

Objections to some of the changes.

The stock made from the collar of the angrekah to button behind with three buttons, and the neck-cloth for the native cavalry, are articles of dress which have nothing to recommend them, and which are objectionable on every account. They are unknown as articles of native dress: they are inconvenient and even oppressive in hot weather to Europeans, and must be still more so to natives, and the use of them is in direct opposition to the general orders by Government of the 24th September, 1806, by which stocks of every description are prohibited. The stock and the neck-cloth are articles of foreign dress: they are exclusively European, and on that account, though now worn cheerfully, they are always liable and always ready in times of public disorder to be converted by designing men into instruments for exciting the prejudices of the native troops.

By a reference to the list of necessaries of the native

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troops it will be seen that they have increased both in size and in number since 1806, and that in the native cavalry the number of articles has been more than doubled. The native trooper has now six angrekahs instead of three, and other articles in proportion; but as he is allowed to carry only a certain portion of them in his baggage bag, the carriage of the remainder must in the field subject him to expense. It ought always to be an object to limit the necessaries of a soldier to the amount he can carry in his baggage bag, or knapsack, without injuring his own efficiency, if a foot soldier, or the efficiency of his horse, if mounted. The fewer articles a soldier has, consistently with the preservation of his health and efficiency, the better. No article of foreign dress ought ever to be admitted into the equipment of a native soldier. The circular letters have not been guided by these principles: they have introduced foreign articles of dress which are liable to disgust the native troops, and they have, by increasing the country articles of dress, subjected them to additional expense.

Necessaries of a soldier should be limited as much as possible.

Introduction of foreign articles of dress and increase to the number of country-made articles objectionable.

These alterations, however, though sufficiently objectionable, are not the main grounds on which I disapprove of the circular letters. The strong ground of objection against them lies in their operating in direct violation of the general order by Government of the 24th September, 1806, sanctioned by the Honourable the Court of Directors, and never yet repealed. I would therefore recommend that this order be brought to the notice of His Excellency the Commander-in-chief, and that he be requested to cause a stop to be put to the issue of circular letters, affecting in any way the dress of the native troops, without previous reference to Government.

Commander-in-chief to be requested to prohibit the issue of circular letters affecting the dress of the native troops, without the previous sanction of Government.

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THE IMPORTANCE OF GIVING A MILITARY CHARACTER TO THE COMMISSARIAT, WITH FURTHER REMARKS ON THE DUTY OF THE GOVERNMENT TO REGULATE THE DRESS OF THE TROOPS.

27th July, 1824.

The commissariat in India is formed exclusively of military officers, who have never been divested of their military character.

THE commissariat in this country ought not to be regarded in the same light as in Europe, where it is so differently constituted. Here it is formed exclusively of military officers. This Government has never considered them as divested of their military character. The general orders by the Commander-in-chief of the 13th of March, 1811, that 'No officers 'attached to the Commissariat Department are to be employed 'on general duties, such as courts-martial or committees, 'except in cases of emergency,' and the explanatory orders by the Commander-in-chief of the 17th of December, 1811, which direct that 'these officers shall not be considered to be 'liable to be employed as personal staff or field aides, except 'when that measure may be absolutely necessary,' were issued in consequence of its having been usual in the Hyderabad subsidiary force to employ the commissariat officers on courts-martial and other duties, which being found to interfere with those more immediate, it was deemed advisable to prohibit except in cases of emergency.

It is not expedient that the department should be deprived of its military character.

The general order by Government of the 24th of August, 1813, which directs 'that the officers of the commissariat 'shall not be employed without the special sanction of the 'Government, on any service foreign to the duties of that 'department,' appears to have been issued for the same purpose—of checking the practice of calling upon the commis-

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sariat officers to perform military duties without necessity. But when such necessity does occur, or when the sanction of Government is obtained, they are still liable to be called upon. Their military character never ceases. They assume the command at any station where by chance they become the senior officers. Captain Cumming, of the commissariat, when the auxiliary force was withdrawn from Goa, assumed the charge of the troops as senior officer. Lieutenant-Colonel Mackintosh, of the commissariat, joined a detachment proceeding from Jálna to Hardah in 1817 under the charge of a major, and assumed the command. The commissariat officers in this country do not seem to me to form less a part of the military staff of an army, than the commissaries of ordnance. It is, in some departments, not easy to mark precisely the line between civil and military duties; nor do I think that it is advisable to make very nice distinctions. If they are to be made at all, they ought to be made rather to give a military character to a department than to take it away. But suppose that it could be established that the commissariat is not in this country a military department, and that its duties are purely civil, and its officers civil officers, what benefit should we have gained by this? We should, by depriving these officers of their military character, have lost one of the strongest securities for the faithful and honourable performance of their public duties.

Every military distinction, including dress, which the commissariat has hitherto enjoyed, should be continued to it.

I am therefore of opinion that every military distinction which the commissariat has hitherto enjoyed, should be continued to it. If His Majesty's military officers belonging to the commissariat in England wear the blue civil staff uniform, the commissariat here has suffered no real injury by the change of its dress; but if His Majesty's officers do not wear the blue civil dress, the commissariat of this Presidency ought to be relieved from wearing it as soon as possible.

Government ought not to disregard public opinion, and whenever it has issued a manifestly unwise order, should revoke it. Reason

It is in vain to argue that the colour of a dress is a thing of no consequence, when public opinion has attached importance to it. Government ought to attend to public opinion whenever it can be done without the sacrifice of material advantage, and I am sorry to say that that opinion is, I believe, in the present instance, against both the Commander-in-chief and the Government. As soon as I perceived this, I thought that we ought at once to remove the feeling by

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which prevented the Government from annulling the order issued by the Commander-in-chief.

cancelling the order. Had the order been from Government, I should not have hesitated a moment; for Government often modifies or repeals its orders, and whenever, from mistake or other cause, it issues an order the tendency of which is evidently injurious, the wisest course is, I think, to revoke it at once. But it appeared to me, on a little consideration, that the Government could not, in the present case, follow this plan without producing the most serious evils, by lowering the authority of so high a public officer as the Commander-in-chief, and that it would therefore be most advisable to refer the subject to the Honourable the Court of Directors for their decision.

Munro had intended to recommend that all orders regarding the dress of the army should be issued by Government.

Had my design not been anticipated by the G. O. of the 12th of February, 1823, it was my intention to have proposed to the Board that all orders regarding the dress of the departments acting under the immediate orders of Government, and to which the blue staff dress has been assigned, should issue from the Governor in Council, and to have requested the authority of the Court of Directors for causing the same course to be followed in every order regarding the clothing of the army in general. The department of the Military Auditor-general has never received its dress from His Excellency the Commander-in-chief, and there is no good reason why a different rule should have been observed regarding the dress of the Commissariat and Pay Departments.

This power should invariably be reserved to the Government.

In issuing the late orders regarding dress, the Commander-in-chief has assumed no new prerogative, but has merely followed the usage of the service. It does not appear that this important privilege was ever formally granted by Government or the Court of Directors to the Commander-in-chief; but, however it may at first have been obtained, it is highly inexpedient that it should remain where it is, or be placed in any hands but those of Government. I believe that in all countries, the dress, the arms, and the equipment of the army are ordered by the Government or its head, and that in none is this power entrusted to the Commander-in-chief, unless where he is also the sovereign. It belongs to the Government or its chief to order these matters, and to the Commander-in-chief to see that the orders, when issued, are strictly observed. Such powers cannot with propriety in any case be confided exclusively to the Commander-in-chief. The

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Honourable Court have already committed the regulation of the dress of the native troops to Government, and it is extremely desirable that they should do the same with respect to the European part of the army. Government and the Commander-in-chief would then, as in other countries, exercise the powers which properly belong to them respectively. Government would order all changes in dress, and the Commander-in-chief would take care that no deviation was allowed from them. He would lose no part of his legitimate influence, for the changes of dress would still be regulated chiefly by his suggestions; while Government, by their coming under its consideration, would possess the advantage of modifying or rejecting whatever might appear objectionable. Dress is not a thing the adoption of which ever can require any urgent haste, and as its changes are invariably productive of expense, and of injury to prejudice or military feeling, it is better that it should be placed entirely under the direction of Government, which would then resume the exercise of its authority over an important branch of military administration which no well-regulated Government ought ever to relinquish.

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ON THE CONSIDERATIONS WHICH SHOULD DETERMINE THE QUESTION OF PROCURING MILITARY STORES FROM ENGLAND, OR MANUFACTURING THEM IN INDIA.

12th March, 1824.

Recommendation by Military Board that all leather accoutrements should be procured from England.

My absence from the Presidency at the time when the Military Board sent up their annual indent on the Honourable Court of Directors, has prevented me from noticing it sooner. The indent was accompanied by a statement showing the comparative prices of articles of military stores, as procured in this country and sent from England. The Military Board remark that, with few exceptions, the prices are in favour of the English articles; that all the Indian articles are of a very inferior quality, but more particularly those of leather; and they therefore recommend that every article made of leather be sent from England, and they state that they have included in the indent a full set of accoutrements for the corps of light infantry, and suggest that they be prepared according to patterns forwarded.

Supported by the Deputy Commissary-general.

Government, on the 2nd September, 1823, resolved to forward the indent to the Court of Directors, and ordered a copy of the comparative statement of prices to be sent to the Deputy Commissary-general for any observations he might have to offer. That officer in reply stated that his department had, in different reports from 1811 to 1820, urged the propriety of getting most of the articles, including buff accoutrements, from England; that leather accoutrements of every description could, however, be furnished much cheaper by the commissariat; that the rates inserted in the comparative

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statement for light infantry accoutrements were those paid to the Madras tannery; and that such accoutrements could be supplied by the commissariat of a much superior quality, and at half the price.

The Deputy Commissary-general has annexed to his report a statement of all the leather accoutrements made by the commissariat, and as there are none for light infantry among them, I recommend that patterns be now called for from the commissariat at Seringapatam, in order that the Honourable Court, after seeing them, may judge how far it is necessary to send such articles from England.

The Military Board, in their anxiety to procure good articles, seem to pay too little attention to the price of them. The best articles are no doubt often the cheapest, but this is true only to a certain extent, and beyond which, when our practice is carried, it becomes a useless waste of public money; and this appears to me to be the case in the present instance, for there is no such superiority in the quality of the Europe article as to compensate the great excess of price. It is only three years since the commissariat first began to tan leather, and the progress made in that short period has been so great as to hold out the strongest encouragement to perseverance in the present course. It has not yet been ascertained from experience how far the Seringapatam may be less durable than the English leather, but I imagine it will be found that the difference, if any, is very trifling. We ought, in considering the present question, not to forget how useful it is to the country to support a manufacture which employs so many hands, and how important it is to have our resources as much as possible within ourselves, instead of depending upon a distant country for them.

Question of price important. Utility of supporting a manufacture which gives employment to many people in this country. Important also to have our resources in hand.

I am therefore of opinion that no leather accoutrements whatever should be sent from England, but that patterns should be sent home, in order that the Honourable Court may come to a final decision upon the question.

Question to be referred to the Court of Directors.

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NEW ORGANIZATION OF THE CORPS OF ARTILLERY.

28th July, 1825.

New organization of the Madras Artillery.

THE new organization of the corps of artillery under this Presidency, authorized by the Court of Directors, and published in G.O. of the 18th May, 1824, adds to its strength two and a half troops of horse artillery, and takes away from it two companies of European foot artillery.* But on the whole it gives an increase of numerical strength, and also perhaps of efficiency.

Question whether a troop of the horse artillery should have six or eight guns.

The expense of the Horse Artillery here is considerably augmented by our having eight guns to a troop instead of six, as at the other Presidencies. There is a difference of opinion among artillery officers as to the proper number, and many consider six as the best number. Lord Hastings was likewise of this opinion, because he thought that it was as many as the officers could manage properly. Six is also the established number in the Royal Artillery, and is that which was adopted, I believe, not only in the British, but in the French armies during the late war in Europe. In favour of eight guns, the advocates of this number urge its greater power as a battery and its divisibility rendering it better fitted both for manœuvre and detachment. In favour of six it is said that this number is more manageable and more economical.

Reasons for retaining eight guns

Though troops of eight guns are used only in the Madras army, it does not follow that they are not as well or better suited

	European horse.	Native horse.	European foot.
* Present establishment: Troops or companies	$2\frac{1}{2}$	3	14
New organization	4	4	12

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than those of six for the nature of the service on which they are most generally employed. Ever since 1810, the established number of guns to a troop of horse artillery has been eight; and as the Honourable Court, with the knowledge of this fact, have ordered an increase of two and a half troops, without any mention of the number of guns, it ought, I think, to be inferred that they meant troops of the existing strength. Whatever, therefore, may be our opinion of this particular establishment, it cannot with propriety be altered without the previous sanction of the Honourable Court. for each troop.

Relative proportion of the horse to the foot artillery.

Besides the question regarding the proper number of guns to a troop of horse artillery, there is another regarding the relative proportion of the horse to foot artillery, on which there is considerable difference of opinion. Under Madras, the proportion of horse to foot artillery is greater than under the other Presidencies, or than in Europe. But it is evident that no one proportion can be equally applicable to all countries; it must vary with circumstances, and in general the more open the country and the drier the climate, the more efficient will the service of horse artillery be found.

Respective merits of horse and foot artillery.

In favour of horse artillery, it is said that that artillery which is best equipped for movement is the fittest for all field duties; that for all other calls of the service, horse and foot artillery are the same; that, when dismounted, horse are as useful in a battery as foot artillery; and that the draught of horse artillery is the only means of keeping pace with the exertions the troops are frequently obliged to make in rapid marches to overtake a flying and predatory enemy. On the other hand it is maintained, that though horse artillery are best calculated for rapid field movements, that there are many situations in this country in which they are less movable than foot artillery—in hilly and woody districts; in a great part of the Malabar coast and of the Northern Circars; in all the open countries with deep cotton soil, during the rains, where bullocks from their perseverance drag through the guns of the foot artillery, where horses from their impatience disable themselves and leave their guns behind. Horse artillery are also less calculated for the duties of all our principal garrisons, and perhaps too for foreign service, both because the expense of transporting them is so heavy, and because the foreign countries to which they are most likely to be sent, are not in

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general well suited to their operations. As to the necessity of horse artillery in order to pursue a flying and predatory enemy, such an enemy seldom needs guns to disperse him, and will be best overtaken by cavalry alone. If horse artillery were to be employed at a distance from infantry with cavalry alone, their present number would hardly be sufficient; but this can rarely happen. It would be too dangerous, unless for short excursions, as they can be safe only when infantry is near.

Questionable whether European foot artillery has been kept up at a sufficient strength. Use of native horse and foot artillery should be limited as much as possible.

The services of both branches of the artillery are equally important. The expense of all artillery is so great, that it is not economy, but a waste of money to withhold any expense that is required to render it completely efficient, because if we do so, all the expense is thrown away to no purpose. I am not, therefore, disposed to think that the horse, the most expensive branch of our artillery, has been too much augmented; but I think it would perhaps have been better to have reduced some part of the golandáz, or even of the native horse artillery, than the two companies of European foot artillery. Our European foot artillery has in most of our wars been found to be on rather too low an establishment. In war a great proportion of it must always be drawn together from distant places, which causes much inconvenience and delay, and sufficient detachments must be left at Hyderabad and Nagpur for the security of these capitals. In the late war the foot artillery were too weak both at Nagpúr and Mahidpur. Had there been a sufficient detachment at Nagpur, the severe and critical action at Sítabaldi would either never have happened, or the attack would have been easily repulsed. It is true that, in lieu of the two companies of European foot artillery reduced, one and a half troop of European and one troop of native horse artillery have been added to the establishment; but these barely replace the reduction of foot artillery—they do not make up for the deficiency formerly felt. The golandáz certainly make up in some degree for the want of European foot artillery. Their chief use is their saving the Europeans from exposure to the climate, and from harassing and fatiguing duties. The Court of Directors have often, on grounds of policy, disapproved of the employment of golandáz. I am not disposed to distrust them more than sepoys; but still, as their turning against us could

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do us more harm, and as we do not want them so much as sepoys, their use should be limited as much as possible.

Two companies of native foot artillery and two guns in each troop of native horse artillery should be eventually reduced.

By the great addition made to the golandáz in 1819, when the battalion was formed, the corps of artillery was made sufficiently strong as a whole, and it is this consideration which induces me, notwithstanding the war in which we are engaged, to recommend to the Board the carrying into effect the reduction of the foot artillery ordered by the Honourable Court. Although, however, the corps of artillery is now strong enough, I think that the foot artillery has been too much reduced in order to strengthen other branches of the corps, and that in any modification of the present arrangement which the Honourable Court may hereafter deem it expedient to make, it would be desirable that the two companies of foot artillery should be restored, and that the expense should be met by reducing two companies of golandáz and two guns in each of the troops of native horse artillery. All reduction or augmentation of the artillery will most conveniently be made by troops or companies, without reference to promotion, or any other consideration than the demands of the State; and if fourteen companies of foot artillery be the number requisite for the public demand, it ought to be taken in preference to any other number, though it does not give an even number of battalions, or of companies to every battalion.

No principal division or important fortress should be without a detachment of European foot artillery.

The proposed distribution of the artillery, with the exception of the golandáz, is shown in the letter from the Adjutant-general of the 30th June. It gives no European foot artillery to Malabar, to the northern or southern division of the army, or to the Doab. These places may in part be supplied when the two companies of European foot artillery now on foreign service return. But two companies will still be wanted, and can only be supplied either by too much reducing the head-quarters at the Mount, the great school of artillery, or by restoring the two companies ordered to be reduced. The European foot artillery is at all times, but especially in times of difficulty, so essential a part of our military force, that no principal division or important fortress ought to be without a detachment of it; and in order to effect this, I am satisfied that the reduction which I have suggested, should be made in the native branches of the horse and foot

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artillery. The question as to the respective advantages of the six and eight gun troops has by no means been decided so clearly in favour of the eight-gun troop, as to render it expedient to uphold it by any great sacrifice, and certainly not by such a sacrifice as that of supplanting European by native artillery, and incurring at the same time a heavier expense. The Statements 1 to 4* exhibit the expense, according to the new establishment, of a brigade of European and of native horse artillery, and of a battalion of European and of golandaz, or native foot artillery, respectively, from which it appears that the annual expense is as follows:

	In Cantonment.		Additional in the field.	
A brigade of European horse artillery ...	Rs. 593,857	5	173,316	8
A brigade of native horse artillery	521,169	4	130,208	1
A battalion of European foot artillery ...	250,723	15	79,634	6
A battalion of native foot artillery or golandáz	281,898	2	59,021	1

The strength of the European and native horse brigade is the same, and, though the expense of the native brigade is considerably less, the difference of expense is much less than that of efficiency. A brigade of native horse artillery, 528 strong, is about double the expense of a battalion of 360 European foot artillery.

Force of European foot artillery to be maintained at St. Thomas's Mount.

The number of companies of European foot artillery to be stationed at the Mount ought not to be less than four, not only because it is the head-quarters and the school of instruction of the corps, but because, if the number were smaller, it would hardly be possible to relieve the detached companies regularly. The periodical relief of all the detachments, so as to bring them back to the Mount within a fixed time, is essential to the discipline and efficiency of the Artillery.

The reasons assigned in the Adjutant-general's letter of the 30th June for fixing the head-quarters of several of the brigades and battalions of artillery beyond our frontier are satisfactory, and I recommend that under the modifications stated in that letter, the officer commanding the army in chief be authorized to carry into effect the arrangements purposed in the letter from the Adjutant-general of the 27th April, and that he be requested to submit a detailed statement of the additional horses required to complete the horse artillery.

* It has not been thought necessary to print these statements.

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MINUTES ON THE WAR IN BURMA.

[No. 1.]

18th June, 1824.

The capture of Rangoon ought not to interrupt our military preparations.

THE fall of Rangoon, of which we received official notification on the 13th instant, will, we have reason to believe from the tenor of a former despatch from Calcutta, be immediately followed by an offer of peace to the Burman Government. This circumstance, however, ought not for a moment to interrupt our preparations. The acceptance of peace by the enemy is uncertain, and we ought therefore to continue our measures for giving every possible aid to the war in which we are engaged. It is not enough that we have already detached more troops on foreign service than were ever sent from any Presidency in India—we must send all that we can with safety spare.

Preparations made by the Madras Government for the war.

The first intimation of there being even any likelihood of a rupture with the Burman State was received here on the 23rd of February, in a letter from the Supreme Government of the 10th of that month. In that letter, though all hope of accommodation was not entirely abandoned, we were directed to prepare for war; we were told that a force of not less than 4000 men would be required from us in April, and we were directed to state what number of troops we could have ready for foreign service in all March or early in April, and what additional force could be got ready in May. These questions were referred to His Excellency the Commander-in-chief for his opinion. The view taken of this important subject by His Excellency went far beyond the estimate of the Supreme Government, and in this view the Government

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entirely concurred. His Excellency stated that there would be ready for foreign service in all March a force of about fourteen hundred European infantry and five battalions of sepoys, with a full proportion of European and native artillery, and that a second force, similar in all respects, would be ready in May.

The first of these divisions, under the command of Colonel McBean, of His Majesty's 54th regiment, sailed on the 16th of April for Port Cornwallis, the rendezvous fixed on by the Supreme Government for the junction of the Bengal and Madras troops. A part of the second division, consisting of His Majesty's 89th and two battalions of sepoys, with three companies of pioneers, under the command of Colonel Miles, sailed for Port Cornwallis on the 23rd of May; and another part of the second division, composed of two battalions of sepoys, with a detachment of artillery, under the command of Lieutenant-Colonel Fair, sailed on the 13th instant for Chittagong by order of the Supreme Government, in consequence of an irruption into that province by a body of Burman troops. The whole, therefore, of the troops of the two expeditions originally destined for foreign service, with the exception of one regiment of European and one of native infantry, have sailed. These two last corps were, by a letter from the Bengal Government under date the 24th of May, ordered to be sent as soon as possible to Calcutta. This destination was, however, soon after countermanded by a letter of the 2nd instant, which directs the regiments to be kept in readiness for foreign service.

Additional troops available.

In the letter of the Supreme Government ordering these two corps to Calcutta, we were directed to state whether, in addition to the force originally intended for the two expeditions, we could without inconvenience spare any more troops in the course of the next six months. His Excellency the Commander-in-chief was of opinion that two native battalions might be spared, but did not think that it would be advisable, without taking time for full consideration, to promise more. The Board adopted His Excellency's sentiments, and they were communicated to the Supreme Government in a letter dated the 8th instant.

Need of a large force to preserve the communications.

It appears therefore that we have still ready for foreign service one regiment of European and one battalion of native infantry belonging to the second expedition, and two battalions

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of native infantry, exclusive of the troops of both divisions. We must be prepared to send them wherever their services may be deemed most necessary by the Supreme Government, and I trust that the state of affairs will admit of their being sent to Rangoon, as their junction with the troops there will make the force under Sir Archibald Campbell no greater than was originally proposed, and, I think, not greater than it ought to be. The operations of that officer, in order to be efficient, must be extensive, and a great number of men will be required to preserve his communications, which will probably be a much more difficult task than beating or driving the main body of the enemy before him.

Great advantage of having a commanding force.

It is always dangerous, and often fatal to success, to have a force only barely sufficient to maintain themselves in a hostile country, and none to spare for detachments or distant offensive operations which it may occasionally be found advisable to undertake. It is a great advantage to begin a campaign with a commanding force, particularly in a country recently conquered. It discourages the enemy, and encourages the people of the country to join and aid us, in the hope of regaining their independence. The occupation of Rangoon ought not to make us relax in the smallest degree in our preparations, or to believe that it will bring us any nearer to a peace. Our safest and our speediest way of arriving at an honourable peace, is to consider this first success as only the beginning of a general war with the Burman empire, and to engage in it with our whole disposable force.

The Burmans a new enemy, of whose troops, country, and resources we know but little.

The Burmans are a new enemy: we know very little of them, of the number and quality of their troops, of the nature of their country, or of the extent of their resources. Our ignorance in all these respects must render it difficult to judge at once what plan of operations would be best; but, whatever plan may be adopted by the Supreme Government, it is our business to support it by the exertion of all the means in our power.

The Commander-in-chief to ascertain the utmost extent to which troops can be sent.

His Excellency the Commander-in-chief will, I have no doubt, with his usual active zeal, ascertain hereafter the utmost extent to which we can safely go in sending our troops on foreign service, or on any service for which they may be required by the Supreme Government.

In the course of our late preparations no circumstance has,

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Excellent behaviour of the native troops.

I believe, excited more general admiration than the behaviour of our native troops. Nine battalions of native infantry have already embarked, and most of them without a single man being absent. They have not only testified no reluctance, but have shown the greatest ardour to go on foreign service. Journeys of extraordinary length and rapidity have been made by some sepoys who were absent on leave, in order to join in time to accompany their corps; and two companies of pioneers marched in the hottest month of the year from the vicinity of Hyderabad, a distance of 365 miles, at the rate of 24 miles per day, during fifteen successive days. The devotion to the service evinced by the whole of the native troops in leaving their families and country is highly honourable to them and their officers, and cannot fail of being viewed with the greatest approbation by the Honourable the Court of Directors.

[No. 2.]

3rd August, 1824.

Force at Rangoon insufficient for an extensive campaign.

The Board are aware that I have always considered the force at Rangoon as insufficient for the demands of an extensive campaign. The arrival of Major Canning's report of the 19th June shows us that the want of troops had been much felt; that it had obliged Sir Archibald Campbell to confine himself within very narrow limits, and had prevented him from occupying at an early period the important position of Yangan Chamja, and that it was only in consequence of the arrival of the reinforcement under Colonel Miles that he thought himself strong enough to take possession of it. Major Canning also mentions that it was intended to carry the operations up the river far beyond this point. The occupation of different places from Rangoon upwards will soon find employment for all the addition made to the main force by Colonel Miles' detachment, and the operations will again be brought to a stand from the want of troops. This want will every day increase from sickness occasioned by the rains, and by fatigue from incessant labour, arising from the nature of the service, without the usual aid of draught or carriage cattle.

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It is essential to success that the force, if not augmented, should at least not be diminished. I propose, therefore, that the only remaining native battalion of the second expedition should be immediately sent to Rangoon, as it will not do more than replace the casualties which must have occurred since the date of Major Canning's report.

Force, if not augmented, should at least not be reduced.

We have, it is true, made a reference to the Supreme Government respecting the disposal of all the corps ordered for foreign service; but, whatever may be their decision, it cannot alter the necessity that exists of keeping the Rangoon force efficient. I have no doubt that it will be in favour of sending all the disposable native battalions to Rangoon; should it be otherwise, we can easily give another battalion in the room of that now intended to be despatched.

The Supreme Government will doubtless approve of all the available native battalions being sent to Rangoon.

It is to be recollected that all our native corps on foreign service were, when they embarked, on the peace establishment, and must now be much below it. Although I am averse to every unnecessary increase of our military expenditure, yet I know that nothing is so expensive as war carried on with inadequate means. One campaign drags on after another, and we have then all the expenses without any of the advantages of war. With the view of preventing this, it will be advisable to increase all native corps, either actually employed or ordered on foreign service, to the establishment at which they stood before the reduction in 1821. It will also be advisable to add five men to each company in all the remaining corps, in order to enable them to meet the extra duties they will have to perform during the absence of so large a portion of our force, and to furnish volunteers to the corps on foreign service. The corps on foreign service may be completed either by volunteers or recruits, or both; but volunteering, if successful, will be both more expeditious and more efficient.

Nothing so expensive as war carried on with inadequate means.

All native corps employed or ordered on foreign service should be raised to the former strength.

I know from communications with the Commander-in-chief, that His Excellency concurs in the necessity of augmenting our force; indeed, what I have stated is little more than the substance of his opinions. I recommend that the subject of the proposed augmentation be referred to His Excellency, and that he be requested to carry it into effect in the way he may think best.

The Commander-in-chief of the same opinion.

It appears from all our correspondence, that one of the most serious obstacles to the prosecution of military operations

Deficiency of salt and fresh provisions at Rangoon.

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from Rangoon, is the want both of salt and fresh provisions for the Europeans. We are now sending from hence to Rangoon all the salt provisions in the public stores, and the Commissary-general has no expectation of being able to purchase any more from the Europe ships this season. The stock of salt provisions is also small at Calcutta, and no more can be prepared until the setting in of the cold weather: it therefore becomes necessary to find something to make up for the deficiency of salt provisions. I supposed that when once the army was fairly established at Rangoon, it would be able to obtain cattle from the country and from Acheen sufficient for all its wants. I still think that, whenever it is able to advance, it will find supplies of cattle in the country; but, lest there should be any failure in this respect, we ought to adopt every means in our power to furnish some substitute. This might probably be done by supplies of salt or pickled fish.

I recommend that the Commissary-general be directed to state what can be done in this respect by his department.

[No. 3.]

24th August, 1824.

Equipment of draught and carriage cattle for the force at Rangoon.

It appears from the correspondence of the Supreme Government and Sir Archibald Campbell, lately transmitted to us from Calcutta, that an equipment of draught and carriage cattle is required in order to enable the force at Rangoon to advance by Pegu and Ava to Amarapura. It also appears that both with regard to the amount of equipment that would be necessary, as well as to the means of conveying it by sea, the supplying of it is deemed to be impracticable by the Supreme Government, and the plan itself, for which it is wanted, is considered unadvisable.

A small field equipment would be of great use to the force.

The furnishing such an equipment as would enable the Rangoon force to march inland independent of water carriage, if not altogether impracticable, would require too much time and expense to justify the adoption of such a measure; but a small equipment, sufficient for the movement of a detachment, would be of the greatest advantage to the force. There

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is at present neither draught nor carriage cattle. Every article of supply that is landed, is to be carried to the storehouse, and from one part of the cantonment to another, by the public followers; every gun that is moved out, is to be dragged through the mud by the troops. The labour is excessive, and sickness and inefficiency are the consequences. A few hundred bullocks would save the public followers from this harassing work, and leave them to be employed in their proper duties. From five hundred to one or two thousand bullocks would be sufficient to enable a detachment of two, three, or four thousand men, with six or eight light guns and ten days' provisions, to leave the river and march into the country wherever the roads were practicable. The power of moving such detachments would enable the force to collect supplies of every kind, either by capture or purchase, and would greatly facilitate its main operations. Without the power of moving such detachments, the operations of the Rangoon army must be confined to the river, and can never be efficient; and as it will not have the means of scouring the country, it will perhaps never be able to find fresh meat for its subsistence, and be stopped by the want of it. The expense of a small field equipment will be great, but it ought undoubtedly to be incurred, because without it the army cannot move, and while it cannot, all the rest of the expense is thrown away to no purpose.

We can do little in furnishing even a small share of such an equipment without orders from Bengal, but we can at least send such a supply of bullocks as may render it unnecessary to employ our troops and followers in dragging the guns and carrying the stores and provisions. I would therefore recommend that we take up tonnage for about two hundred bullocks to be sent to Rangoon, and that we increase the number hereafter to five or six hundred, or even more if found practicable.

[No. 4.]

8th October, 1824.

Opinion of the Commander-in-

His Excellency the Commander-in-chief, in delivering his opinion upon the wish of the Supreme Government that a

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chief as to the feasibility of sparing a regiment of native cavalry for Rangoon.

detachment of cavalry should be sent to Rangoon from this Presidency, 'if practicable and expedient,' has stated that such great changes have taken place since he proposed in April last the sending of a regiment of native cavalry on foreign service, that we could not now detach such a force without involving a risk not justified by prudential or political considerations.

Great augmentation of the Indian armies during the last twenty years. Change in the political situation.

The occupation of Nagpur and Sholapur, and the sending on foreign service one European and two native regiments, in addition to the force originally proposed, have undoubtedly caused a great change in our situation, and rendered it more difficult than before to spare any part of our cavalry for foreign service; and this difficulty is increased by the number of horses being so much below the establishment. When, however, I consider the great augmentation of the armies of the three Presidencies within the last twenty years; that at a time when these armies were able to maintain the British authority in every quarter of India, neither the Bengal nor Bombay establishment had any cavalry, and Madras not more than half of what it now has; that the Mysore power, the most formidable of our three rivals, is now a friendly dependent State; that what once formed the dominions of the principal Mahratta States, is now occupied by the Bengal and Bombay troops, and that now there is in reality no powerful native sovereign in India, I cannot think that by sending a few hundred native cavalry to Rangoon, we should expose our territories to any serious danger. The diminution of the number of our cavalry would no doubt be inconvenient, and, if an enemy appeared in the country, might perhaps somewhat protract our operations. But we ought not, from the mere chance of a contingent risk, to be deterred from sending a part of our cavalry to any quarter where their aid is urgently required. We should look to our army on foreign service engaged in war, and if the cavalry ordered from Calcutta to Rangoon be not sufficient, we ought to be prepared to send more. The Body-guard being on the spot, it was my intention to have sent such part of them as might be willing to embark; but the want of transports until within these few days, the near approach of the monsoon, the impossibility, owing to the drought, of providing forage in proper time, the risk of detaining the ships in the roads, and the length and

The Government should not be deterred by any contingent risk from sending cavalry to the seat of war, if required.

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danger of the voyage, have induced me to postpone my design until the end of the year. We shall by that time be able to learn whether the three hundred cavalry to be sent from Bengal is sufficient for the force under Sir A. Campbell. As the enemy opposed to him have few or no cavalry, I am disposed to think that it will be sufficient; but, should it be otherwise, we ought to be prepared to send more, to the amount probably of two or three squadrons, as soon as may be practicable after the close of the monsoon.

[No. 5.]

26th November, 1824.

The medical reports transmitted by the last despatch from Rangoon give a melancholy statement of mortality among the European part of the force, far beyond anything of the kind ever known in this country, or perhaps in any other. At the end of May the troops were so unusually healthy, that the whole sick list of the force amounted only to fifty-two, of which twenty were Europeans. But from the month of June the sick increased rapidly, and scurvy making its appearance, a great proportion of the patients died, so that by the middle of October about two-sevenths of the whole of the Europeans sent from Madras had been buried. The deaths were at that time about sixty weekly, or 240 per month, and it is stated that nothing could save the convalescents but sending them away from Rangoon to Penang or Madras.

Mortality among the European troops at Rangoon.

It appears from Dr. Howard, the Superintending Surgeon's report of the 29th September, that the disastrous consequences of the continuance of salt provisions had been long foreseen, and that in a letter to Brigadier-General McBean of the 21st July, he pointed out the evil of salt meat, and the benefit that would result from even a small portion of fresh meat for soups in the hospitals. Had this letter been forwarded at the time, which it ought to have been, it would have enabled us to have despatched some relief in September, which might have reached Rangoon in October. But the 21st of July was too late a period for beginning to notice the distress; because, from the time that must necessarily have

Neglect of the medical and military authorities to give timely notice of the need of fresh meat.

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elapsed in the passage, no relief sent from Madras, in consequence of such an application, could have reached Rangoon in less than ten weeks from its date. It was known by the end of May that the force was likely to remain at Rangoon during the monsoon. Had the Medical Department then foreseen the probable consequences of feeding the troops on salt provisions, and reported their opinion without delay, we should have been able, notwithstanding the drought and famine, to have sent to Rangoon a monthly supply of sheep and slaughter cattle sufficient to have furnished fresh meat for the hospitals daily. If the evil was foreseen at an early period, it was certainly not brought to notice until it was too late.

Omission to procure supplies of fresh fish,

It does not appear that, though surrounded by creeks and rivers full of fish, it was ever proposed that means should be taken for obtaining a supply of them. It is stated in the last report, that they are found to be better for the sick than any kind of fresh meat whatever; yet the nets with which they were taken, were sent from hence, not upon any requisition from Rangoon, but upon the suggestion of the Commander-in-chief, whose active mind is always alive to everything by which the comfort of the troops or the success of the service can be promoted.

or vegetables.

No attempt seems to have been made to raise vegetables for the use of the troops or the sick. There may have been obstacles to prevent it with which we are not acquainted, but no explanation is given.

Recommendations on the subject.

We know from late advices from Rangoon, that supplies of fresh provisions are now likely to be obtained by vessels which have been despatched to Cheduba and other places for live stock, and by means of the buffalo-hunting parties; but we ought not, on account of this favourable change, to relax our exertions here in contributing as far as may be practicable to the relief of the troops. I therefore recommend that the Medical Board be directed to submit a list, specifying the names and quantities of all such articles as would be useful either in preserving or restoring the health of the troops at Rangoon; that they be directed to prepare and keep in readiness for embarkation whatever their own stores can furnish; and that the Commissary-general be ordered to provide the rest.

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As the medical committee have declared 'that if the con-'stant and exclusive use of salt provisions be persevered in, the 'whole of the Europeans will fall victims to the prevailing 'diseases, or be so far disabled by them as to be rendered 'useless for every military purpose,' and as it is possible that the troops may again be thrown into a similar situation, it is desirable that we should receive the opinion of the Medical Board on the subject. I would therefore recommend that they be desired to state their sentiments on the following points:

When salt provisions only are procurable, whether it would be advisable to confine their issue to certain days in the week, or to stop it entirely?

If confined to certain days, what would be the best substitutes for them, during the other days of the week?

If the issue of salt provisions be stopped entirely, whether there be any substitutes, and what, by which the health of the European troops might be preserved?

Question whether animal food is absolutely necessary to preserve the health and strength of Europeans.

We know that in some countries of Europe many of the peasantry seldom taste animal food. I can hardly believe that animal food is absolutely necessary to preserve the health and strength of our Europeans; or that it may not be done by what we have always had, and always can furnish, an abundant supply of rice, wheat, and every kind of grain, of ghee and sugar, of tea and coffee, and of limes and tamarinds and other acid fruits. If all these, without animal food, are insufficent to preserve the health of Europeans, the loss at Rangoon was in some measure unavoidable; but if they are sufficient without it, much of the loss might have been prevented.

[No. 6.]

29th November, 1824.

Proposed increase to the native regiments on foreign service.

The measure now proposed by His Excellency the Commander-in-chief of raising one hundred supernumerary men for each of the native corps on foreign service, has my entire concurrence. The Board has already authorized the increase of the strength of these corps to the war establishment; but it is necessary that the increase should not only be made, but that it should be constantly kept as complete as possible during

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the continuance of the present war; and it is evident that this cannot be done, unless we have always a supply of men ready for embarkation, in order to replace the waste occasioned by the service.

Importance of making timely provision for this increase.

The heavy loss of the European part of the force at Rangoon from sickness, renders it the more indispensable to keep the native part efficient; and though it is highly satisfactory to learn from the medical reports that the native troops have not suffered materially, yet in a climate of which we know so little, we cannot depend upon their continuing healthy; and we ought, therefore, to be ready to fill up all casualties which may happen. If we waited until we heard of them, and then began to make our preparations, the new levies would reach their destination too late, and serious inconvenience might arise from the delay. The recent capture of Tavoy and Mergui, and the probable occupation of the whole coast south of Rangoon, must unavoidably require a considerable force of native troops for its protection, and diminish the main body with Sir A. Campbell; and we ought, therefore, to make up to him for the loss of this detachment by keeping the whole of his native corps complete.

Possibility of a further increase being required.

The country near Rangoon has probably been too long under the Burman dominion, and too well guarded, for the natives to venture to aid us in any way. But as Tavoy, a more recent conquest of the Burman empire, has thrown off the yoke, it is probable that with our help the insurrection will spread northward from the newer to the older conquest and will reach Rangoon. The possession of such an extensive tract of country in the rear of the army, capable of furnishing abundant supplies of grain and live stock, will be of such importance in facilitating its operations, that I can have no doubt that it will be found expedient to secure the acquisition of the coast south of Rangoon, even if it should require more troops than Sir A. Campbell can easily spare. Should this be the case, I shall not hesitate to recommend, whenever we receive notice that further assistance is wanted, that the strength of the corps on foreign service receive a second addition, or that, if possible, another native battalion be sent to Rangoon. As no further increase of the native troops serving within the Presidency seems to be necessary at present, the recruiting parties may be withdrawn.

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[No. 7.]

27th December, 1824.

It has been already resolved by the Board to raise each of the regiments of native infantry on foreign service to one hundred men above the full establishment. Since then the increase of sick and the detaching of two regiments to Tavoy and Martaban have diminished the native force at Rangoon in a greater degree than the authorized augmentation will supply; and as the European force has also suffered from disease in an unprecedented manner, it becomes the more necessary to keep up the native force immediately under Sir Archibald Campbell at Rangoon to its full original strength, either by sending more men to corps or additional corps.

Further remarks on the same subject.

More men can be sent only by sending volunteers or recruits. Volunteers may be found in abundance to go with their own corps on foreign service. But we cannot expect many more to leave their own corps for that purpose; and we should be cautious in calling for them where there is any chance of failure. Recruits require time to be raised, and after they are got, four months at least are necessary to prepare them for joining. The most expeditious mode of sending any further reinforcement would be by sending a regiment at once. We cannot easily spare one; but, should any exigency require it, we ought to be prepared to send one, or even two regiments of sepoys.

Question whether volunteers or recruits, or an additional regiment, should be sent.

In order to enable us to meet such a demand in the least expensive and most useful way, it would be advisable to raise a local corps to occupy Seringapatam. By this measure a regular battalion would be set free, which, from the unhealthiness of the place, is always inefficient while there, and usually for a year at least after being relieved. The local corps might be about the strength of the regular battalion, and might have a European commandant and adjutant.

Proposal to raise a local corps to occupy Seringapatam.

We cannot send reinforcements to Rangoon, and at the same time keep all our field forces in India complete. It is not necessary that all, or perhaps any of them, should always be so: part, or even the whole of one, may be occasionally withdrawn for a time, when temporary service requires its aid in another quarter.

Field forces in India may be temporarily reduced.

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Increase to the force in Burma need cause no anxiety regarding our Indian possessions.

The great force required for the Burman war ought to cause no apprehension for the safety of India; for if we reckon the increase made to the native armies of the three Presidencies since the conclusion of the late Mahratta war, we shall find that it exceeds the whole force now in Ava, or destined to act against that country. There can, therefore, be no difficulty in preserving our possessions with a force that was found adequate both to their defence and the overthrow of the Mahratta power. Tranquillity may be occasionally interrupted by turbulent zemindárs and other chiefs; but these are contingencies from which India never has been entirely free, and which the ordinary field forces are amply sufficient to meet.

Impossible to judge how long the war may last. Preparation should be made for a long struggle, and upon such a scale as to ensure success.

We ought not to regard this war as a mere expedition which is to terminate in one season, but as an arduous service which may last for several campaigns, and we should therefore be prepared to support the Supreme Government systematically during a protracted contest with all our means. It is impossible to judge when such a war may end. It may continue for years, or it may terminate suddenly, by some revolution or alarm disposing the Government of Ava to accede to our terms. We should not, however, trust to such chances, but calculate all our preparations for a long struggle, and upon such a scale as to ensure success. In order to facilitate the accomplishment of this object, it is of the utmost importance that every European corps in India be constantly kept up to its full establishment, and that a considerable addition be made to His Majesty's naval force in this country; for in the operations against Ava seamen are still more useful than soldiers. These valuable resources of seamen and soldiers are not within our reach, but there can be no doubt that the Supreme Government will apply for them to the authorities at home.

Difficulties of the present war, novel in their character. Their nature.

In the present war there are difficulties of a nature which we have never experienced before; not from the military skill of the natives, for that is far below what we have met with in India, but from our ignorance of the country and the people, the obstacles opposed to an invasion by land, by mountains, rivers, and unhealthy jungles, and the hindrance caused to operations of every kind by the long continuance of the rainy season. In all our Indian wars we had the advantage of

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a long previous establishment in the country, and of a perfect knowledge of the people. We had a station that was our own from whence to extend ourselves, and we acted in alliance with some native chief, and by supporting his title and authority we secured the submission of the people and obtained aid, as we advanced, from the resources of the country. The people were not hostile to us, but as willing to be the subjects of our Government, or of our ally, as of their former prince. In Ava we have none of these advantages. We land at once, as an enemy, in a country to which we are strangers, where we have no ally, and where the whole nation is hostile to us, and where, having no fort, arsenal, or granary, we are dependent for everything on our shipping. In India, and still more in Europe, the occupation of a principal town or fortress secures the submission of the adjacent country. But in Ava this will not be the case. The people will abandon the towns as our army approaches, because they know that we do not mean to fix ourselves permanently in the country, and because they know that if they were to remain, they would be punished by their own Government. In most countries the defeat of the enemy's armies in the field and the capture of his principal places, and above all of the capital, usually compel him to make peace; but even if we were to reduce Amarapura, it does not follow that the Burmans would submit to our terms. They might abandon their capital, avoid our main army, and carry on a harassing war against our supplies. The great extent of the country would, of itself, be a powerful ally in promoting the success of such a plan; and though our army might march through the country, it could not subdue it while the people were hostile, and had no expectation of a change of Government; for its strength, unless greatly augmented, would be insufficient to retain in obedience so extensive a territory.

Considerations which may lead the enemy to submit.

There are, no doubt, however, many considerations by which such an enemy may be induced to submit to our terms. Among these are the danger of the revolt of Aracan and the districts on the north-east frontier of Bengal, and of the provinces south of Rangoon; the temporary loss of the resources of the most fertile part of the empire, the delta between Prome and the sea, on the advance of our army from Rangoon, and, more than everything else, the apprehension

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that we may, if the war be long protracted, change our plan of a temporary occupation of that rich province, into one of permanent conquest and establishment. These inducements to peace would be greatly increased by the advance of a force from Bengal into Ava by land; for the districts through which it marched, would withhold their tribute under various pretences; its presence would throw the country into confusion, and its operations would distract and alarm the Burman Government and render it difficult for it to bring a large force upon any one point, or to keep it together when assembled. For from all that we have yet heard of the Burman forces on former occasions, and more particularly from their conduct in their attacks on Sir A. Campbell between the first and the tenth of this month, it is evident that they are a disorderly multitude and not half armed; and I think that it may be inferred, from the Bandoola and his corps having been brought all the way from Ramoo, from their bringing with them the muskets and guns taken there, and from the long period which elapsed between the landing of our force at Rangoon and the arrival of the Burman army under the Bandoola, and from other circumstances, that the Burman Government have no standing army of any consequence; that in order to form an army they are obliged to draw together men from the most distant parts of the empire; and that such an army cannot be kept together for any long period. And there can be no doubt that by our having two or three forces in Ava instead of one, the difficulties of the Burman State, both in assembling and keeping together their army, would be greatly augmented.

Great want of draught and carriage bullocks.

As long, however, as our army remains at Rangoon, the Burmans will easily be able to keep together a force to harass it. They will have no cause for apprehension until it begins to advance. But in order to advance with effect into the country, it must have the means of moving both by land and water; it must have boats and shipping, draught and carriage, cattle and troops. As far as I can judge from all the information before us, it appears to me that it can advance only by the river, with its stores and heavy articles in boats, and the troops, lightly equipped, accompanying the boats by land. We are not required to furnish boats, because it can be better done by the Supreme Government, but we can give material aid in cattle, if tonnage can be found. From two to three

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thousand draught and carriage bullocks would greatly facilitate the operations of the army, by enabling it to carry by land a light field train, tents for the Europeans, and many of the articles most essential to the comfort of the troops. I would, therefore, recommend that, after providing for the embarkation of the troops and stores now under orders for Rangoon, all the remaining tonnage may be employed in conveying draught and carriage bullocks. We shall perhaps be able to despatch seven or eight hundred, which, together with those sent from Bengal, and those already with the force, may probably answer the immediate object of moving up the river to where it divides into the branches which form the delta. But in order to act with effect, the force must not only be able to carry on operations near the river, but also in the country at a distance from it, and it could hardly do this with a smaller establishment of bullocks than 12,000 or 15,000. It may be hoped that when the army advances, means will be found to purchase buffaloes, horses, and bullocks in the country, so as nearly to supply its wants, or that, if a communication can be opened with the force destined for Aracan, it might by that route receive supplies of bullocks and elephants from Bengal; but if the demand cannot be supplied in either of these ways, we must continue, notwithstanding the heavy expense, to send bullocks from this Presidency.

Special usefulness of the pioneer regiments. Care should be taken to prevent the service becoming unpopular with the native troops.

With regard to troops, we can easily supply them, so as to keep up the native part of the expedition to its original strength, and even considerably beyond it. No corps has been found more useful than the pioneers, and I propose that twenty men be added to the establishment of each company on foreign service. Notwithstanding the privations suffered by the troops at Rangoon, there is no reluctance among those here to follow them. But we ought, by sending every supply in our power to Rangoon, to endeavour to prevent the recurrence of scarcity, and to preserve the good-will and confidence of the troops. If the service there should, by any want of attention to their comfort, become unpopular, the native troops, not only those employed on it will lose their zeal, but those here will decline going and make it impracticable to keep the foreign division complete. Nothing, I believe, would be more satisfactory both to the native and

The wounded and sick, both European and

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native, should be sent back to India by the first opportunity.

European troops than that all who are disabled by wounds or sick, and not likely to recover soon, should be sent back to India by the earliest opportunity, and we ought to submit to the Supreme Government the expediency of sending instructions on this head to Sir Archibald Campbell.

[No. 8.]

14th January, 1825.

Further addition to the regiments of native infantry.

In a former Minute I stated to the Board that we ought to be prepared to send one or even two additional regiments of native infantry to Rangoon, and that for this purpose it would be necessary to raise a local corps for Seringapatam in order to set free the regular corps employed as the garrison of that place. But as this measure would give us no equivalent for the second corps proposed to be held available for embarkation, and as, from the number of corps already on foreign service, considerable difficulty has been found in carrying on the ordinary duties of the country with those left behind, I propose that another addition of five men to each company be allowed to every regiment of native infantry not on foreign service.

Severity of the duties to which the troops now in India are exposed.

I have received many complaints of the severity of the duty to which the troops are now unavoidably subjected from the difficulty of finding men for the various services for which guards, escorts, and detachments, are constantly required; and unless the proposed increase is made, it will be impracticable either to lessen the pressure of duty on the troops at home, or to send any more corps on foreign service. This increase will, besides adding to our strength at home, afford some aid in volunteers for foreign service, because the corps stationed beyond our frontier have not hitherto been allowed to give volunteers for Ava, but may now be allowed to give them.

Heavy losses from sickness in Burma.

Every aid from volunteering ought to be resorted to in order to keep the force in Ava complete, lest recruiting should prove inadequate for that purpose; and when we consider the rapid waste of men in Ava, there is too much reason to apprehend that this may be the case. By the latest returns

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it appears that the actual casualties in twelve native corps on foreign service, including the two regiments at Chittagong, in seven months, from May to November, inclusive, amount to about four hundred invalids in the last stage of debility who have already sailed from Rangoon for this place. It is understood that there are about eight hundred more nearly in the same state; and if to these we add the ordinary sick, it will appear that, in the space of seven months, the loss of men to the service in Ava between death and sickness has amounted to nearly two thousand.

As there can be no doubt that the Supreme Government will direct us to send to Rangoon whatever native troops can with safety be spared, I recommend that Lieutenant-General Bowser be requested to prepare a regiment of native infantry for embarkation as soon as possible.

[No. 9.]

8th April, 1825.

Further supply of dooly bearers to be sent from Madras to Rangoon.

The whole of the five hundred dooly * bearers, which were recommended by a dispatch from the Supreme Government of the 28th of January last, to be sent to Rangoon, have already been embarked; but from the information which has reached us, I think that a further supply of the same amount will certainly be required. The last despatches from Colonel McGragh and Brigadier-General Cotton state the scarcity of them, and the great use they are of to the force; and as it appears that the Commissary-general at Calcutta, even by the offer of double pay, could not procure more than one hundred to go to Rangoon, we ought not, I think, to lose time in waiting for a requisition from Bengal, but to order the Commissary-general at once to procure five hundred dooly bearers for general service at once. There is no danger that the whole will not be wanted. If the number were twice as great, there would be employment for them all; for on such service as the present, no class of public servants can be turned to greater advantage than dooly bearers.

* *Dooly*, properly *dúli*, a litter carried by men. In Indian wars doolies are used for the conveyance of the sick and wounded.

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[No. 10.]

28th June, 1826.

Reports of peace should not induce any relaxation of military preparations.

The reports of peace, which have been so prevalent since the arrival of the last accounts from Rangoon, should not induce the Board to relax in any degree in its military preparations. Whether negociations may have been entered into or not, and whether, after having been begun, they may be broken off or brought to a successful conclusion, it is our business to go on as if the war were to continue. There is no time when it is more essentially requisite that an army should be strong than at the very moment when its commander is treating for peace. It will, therefore, in conducting the negotiations, be of the utmost advantage to Sir Archibald Campbell to have his force kept efficient; and if they break off, it is obvious that it will be no less necessary that he should be strong.

Object of the war. Means by which this object may be attained.

We do not know what are the conditions of peace which the events of the war may enable the Supreme Government to exact, or which they may deem it advisable to require: they may be such as to send home in a few months the greater part of our force, or to retain it a considerable time in Ava. One of the main objects of the war is undoubtedly to prevent future aggression. This may be accomplished in various ways: by retaining the conquests of Assam, Cachar, and Aracan, and stationing a respectable force in that frontier; by breaking the power of Ava so completely as to disable it from ever again invading Bengal; by aiding the Pegu nation in again establishing their independence, if they themselves are desirous of the change and bear the chief part in effecting it, but without committing ourselves to support them beyond a certain period. No measure of mere defence would so effectually guard the eastern frontier of Bengal as the restoration of the Pegu State. As long as Rangoon was in the hands of that people, the Burmans would never venture to disturb Bengal. It must be acknowledged, however, that unless the people of Pegu set up a chief of their own, and support him with all their force in throwing off the yoke, nothing can be done for them.

As, therefore, the continuance of our troops in Ava for a

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shorter or longer period must depend on the events of the war, and the terms of peace which the Supreme Government may deem it expedient to prescribe, we ought to be prepared for every event, by keeping our force in Ava complete as long as it may be wanted there. But this cannot be done unless we always look forward six or eight months at least; for that time is required in order to collect cattle and drivers, and to raise, discipline, and embark troops for foreign service. It is for this reason that I have already recommended that a hundred supernumerary men be raised for every corps in Ava, to keep them always complete, and that I now recommend that the Commissary-general be directed to provide, in addition to the number already ordered, three thousand bullocks with drivers for embarkation.

Preparations should be kept several months in advance of actual requirements.

The prolongation of the absence of so great a portion of our army in Ava must, it may be thought, by weakening us so much at home, endanger the tranquillity of the country, unless some new corps be raised to supply the deficiency. But I see no ground for any serious apprehension on this head. The troops which still remain, are sufficient to maintain order. Those who have gone on foreign service, by having been raised in every part of the country, leave relations everywhere interested in the preservation of its peace. The ease with which recruits are found in every district, and the cheerfulness with which they embark, are indications that the people are in general well affected. The very confidence which Government itself shows in the continuance of tranquillity, by the readiness with which it sends fresh troops to Ava, by its raising no new corps in their room, by its adopting no new measures of precaution, must tend to discourage the disaffected, wherever they may be, by impressing them with the belief that Government must be conscious of the sufficiency of its own resources to repress every attempt to excite disturbance or insurrection.

No ground for apprehension regarding the tranquillity of India.

[No. 11.]

23rd June, 1825.

It is very satisfactory to observe from the letters lately transmitted to us by the Supreme Government, from Sir A. Campbell, that the country about Prome will furnish abundant

Preparations for sending troops and cattle to Burma

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should not be suspended.

supplies of draught bullocks, and that he will require no more troops. This information was not intended to make us suspend our preparations for sending troops and cattle to Ava, or the Bengal Government would have given us instructions to that effect. I am therefore of opinion that we ought to proceed in the same manner as if no such information had been received. The cattle we are sending are almost entirely for carriage, and they will still be very useful with the army for many purposes for which draught cattle, even if found in as great plenty as expected, cannot be employed. The troops we are now sending, are not additional corps, but men wanted to complete the corps actually on foreign service and to keep them efficient. It is very possible that Sir A. Campbell may be able to draw from the conquered provinces a supply of draught bullocks so ample as to render all aid in this point from India unnecessary. But as, even in India, where bullocks abound, we are frequently disappointed in our calculations regarding them, both as to their number and the time of their being ready, it is not unlikely that similar disappointments may occur in Ava; and it would not, therefore, be safe to discontinue sending cattle from India until we learn that Sir A. Campbell has actually got the number he requires, and that he will be able to keep it complete.

Continuance of the war for another campaign will demand great exertion.

We have not yet had sufficient experience in Ava to form any correct estimate of the probable number of casualties among the troops and cattle during the next six or twelve months. If the war be continued for another campaign, the waste of cattle, if we may judge from what takes place in this country, must, even under the most favourable circumstances, be very considerable, and probably such as will demand the utmost exertion both in Ava and India to repair. The extended line of operations which must necessarily be occasioned by advancing towards the capital must also call for many detachments of troops to serve as escorts, or as garrisons for the various posts which must be occupied in order to cover our lengthened communications. But these detachments cannot be spared without too much weakening the main body of the army, unless it be kept complete by continual reinforcements from this country.

Efficiency of the army essential to

The prospect of peace, or even its actual conclusion, ought to make no change whatever in our exertions to keep the

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force in Ava complete. Its efficiency is the only thing that can have much weight in making the Burman Government submit to the terms of peace which may be imposed, and carry them into effect without evasion or unnecessary delay. With such an enemy nothing ought to be left to chance. Sir A. Campbell, even after peace has been made, ought at all times to be prepared to renew the contest if necessary; and until the very last day that his force may remain in Ava, it should be kept as complete in men and in every kind of equipment as if the war were only about to begin; and I think that we ought to keep this principle in view in all our measures for sending supplies to Ava.

secure satisfactory terms of peace.

[No. 12.]

8th August, 1825.

The war may possibly be protracted after the fall of the capital by the flight of the King, and may necessitate further additions to the army.

In the letter of Sir Archibald Campbell, dated the 27th May last, transmitted to us by the Supreme Government, it is supposed to be a possible case that the war in Ava may be protracted even after the fall of the capital, by the flight of the King to a distant part of his dominions. Such an event would have the effect, not only of continuing the present expenditure by detaining our troops in Ava, but of increasing it, by compelling us to raise additional men for all the corps of native infantry employed in India, in order to relieve them from the severe duty to which they are now necessarily subjected by the absence of so considerable a part of our force on foreign service. The additional duty which is thrown upon the troops at home by foreign expeditions, is always cheerfully borne, because it is expected that it will be of short duration; but when this extra duty comes to be extended to a second, and even to a third year, the case is altered: the men become exhausted and dispirited, and discipline cannot be strictly maintained. Representations have already been made to me of the severity of the duty at several stations, and of the general deficiency of native infantry; but as I know that the troops themselves always make ample allowance for hardships which may be imposed upon them by the exigency of the public service, and as I think it better that they should suffer some hardship for a time than that we should augment our army

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whenever a part of it is sent on a temporary foreign expedition, I am unwilling to propose any augmentation as long as there is any hope of peace being made, and of some of our corps returning in the course of the present year. Should peace not be made within this period, it will then become my duty to recommend an addition of a certain number of men to each company in every corps of native infantry. All our corps of native infantry, not on foreign service, are still five men a company below the lowest war establishment; and from the late success of our recruiting service there can be no doubt that whatever number of men may be wanted, will be easily got. There are many circumstances, however, which induce me to hope that the war may be finished in the ensuing campaign, and so render the expense of increasing our military establishment unnecessary.

Means of preventing future aggressions by the Burmese.

Our chief object in the present war is undoubtedly security from future aggression: our next objects are, peace and the return of our army. There are two ways of preventing future aggression: one is by so completely breaking the power and spirit of the enemy as to deter him from ever renewing hostilities: another is by dismembering or revolutionizing the kingdom of Ava. The means of effecting these objects are in our hands. The power of the enemy may be broken by advancing to the capital, and by showing, not only to the Burmans, but to all the tributary nations, the weakness of the military force of Ava. The kingdom may be partially dismembered by making Assam, Cachar, and all the petty States on the north-east frontier of Bengal, independent of Ava, and by retaining Aracan; and more completely by raising up, if possible, the ancient kingdom of Pegu. Could any enterprising chief of that nation be found to assume the government, he would probably, even without any other aid than some arms, be able to maintain himself against Ava, now broken in force and fallen in character.

Burma is a country which may be easily subjugated.

If the King of Ava does not seek peace before the loss of his capital, it is not likely that he would hold out long after that event. He would be deserted by his army, if we may judge from all that we have yet seen of its behaviour: he would become dispirited, and would rather offer terms than live as a vagabond. It may be said that he might fly to a distant province, and carry on a long defensive war. But

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Ava does not seem to be calculated, either from the nature of the country or the character of the people, for this sort of contest. An extensive country and a scanty population are usually great obstacles to invasion, and still more so to conquest; because in such countries there are seldom any places, the occupation of which can insure the command of the country. To subdue the country, troops must be spread over every part of it; and where the people are hostile, this cannot with safety be done. But Ava, though of very great extent, and very thinly inhabited in proportion to that extent, is from various causes more easily subjugated than such countries usually are. The population, as far as we have yet seen, are neither warlike nor hostile to us. They appear to have no particular attachment to their rulers, and to be as willing to live under our protection as theirs. The population, though thin, appear to be chiefly concentrated on the banks of the Irrawaddi, where most of their principal towns are. This river, therefore, by running like a high road through the fertile and populous part of the kingdom, renders it perfectly vulnerable, and enables a superior army to subdue it, because the invader, by having the command of the river, has in fact the command of the country.

Our conduct should indicate an intention to retain our conquests.

I do not therefore see much reason to apprehend that the King would attempt to protract the war long after the fall of the capital. I know of only one thing likely to induce him to hold out—the idea that we would not keep the country, but would get tired of the war, and withdraw our forces. Whatever may be intended in this respect, it will be advisable to indicate by our whole conduct a fixed design of keeping our conquests. Nothing would so soon bring the King to terms as the belief that we had such an intention, or so much encourage his holding out as a contrary opinion. The most likely means of impressing this belief would be to appoint a European officer to the charge of the civil government in all the conquered territory, leaving the details in the hands of the natives under his general control; and to collect a revenue according to usage, but much lighter, in order to make it popular. This plan was adopted by Lord Cornwallis in Mysore, and was very useful in procuring supplies of grain and cattle for the army. Such an enemy as we are now engaged with, should always be made to fear the worst. If

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he thinks that war may terminate in the loss of his crown or of a considerable part of his dominions, he will shun it carefully. But if he thinks that there is a chance of gaining an accession of territory from success, and that there is no danger of losing any permanently from defeat, he has no sufficient motive to deter him from aggression.

If the King flies from his capital and refuses to treat, some member of his family should be encouraged to assume the government.

If, contrary to expectation, the King should, on the advance of Sir A. Campbell, fly from his capital and refuse to treat, we cannot keep our army in Ava for ever, and must for our own safety endeavour to establish a government that will treat, and enable us to withdraw, and put an end to a war so destructive to our resources. We know from the past history of Ava that revolutions have not been unfrequent there, and that members of the royal family have often attempted to supplant the sovereign. There is every reason to believe that this disposition is not in any degree diminished, and that the prince of Tarawaddi or some other member of the royal family might with our assistance be encouraged to seize the Government. The desertion of the capital, the disgrace attending it, the unpopularity of the King, would all favour the measure. The prince supported by us would be readily acknowledged. He would not have to conquer the country; he would receive possession of it from us, and he would therefore have the strongest motive for seeking the continuance of our friendship.

As I have endeavoured to show in the above observations that there are grounds for hoping that peace may be obtained in the course of the present year, I wish to defer taking any steps for the increase of the strength of our native infantry regiments, until we can see with more certainty whether this hope is likely to be realized or not.

[No. 13.]

22nd August, 1825.

Reasons for sending an additional European regiment to Rangoon.

In the communication from the Supreme Government, respecting the sending of another European regiment to Rangoon, we are authorized to exercise our discretion in sending it or not. The measure will be attended with considerable inconvenience, but it is no doubt practicable; and as

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I think that no inconvenience, or anything short of the most evident danger to our affairs in India, ought to make us withhold from the war in Ava any aid we can possibly spare, and as the movement of a brigade by Pegu and Tonghoo on Ava, an operation to which Sir Archibald Campbell attaches the greatest importance, depends on his receiving another European regiment, I recommend that His Majesty's 45th Regiment, now in Fort St. George, be sent to Rangoon without delay.

Sir Archibald Campbell thinks it not unlikely that, during his advance towards the capital, the enemy might send a force by Tonghoo into the lower provinces in his rear. The mischief that would result from such a movement is so far beyond any inconvenience that could arise here from the absence of the regiment, that I am of opinion that we ought not, by any hesitation on our part, to put the great object of the campaign to the hazard of failure, by not affording to Sir Archibald Campbell the means of securing his right flank from being turned by the enemy.

I recommend that a wing of His Majesty's 48th Regiment be, without delay, ordered from Trichinopoly to garrison Fort St. George; and that, on the embarkation of the 45th for Rangoon, the garrison of Fort St. George may be reinforced by the foot artillery from the Mount.

I recommend that orders be issued for recruiting five men a company for all the corps not on foreign service. This will make each company ninety men, which was the establishment previous to the reduction in 1820. Provision has already been made for completing the corps on foreign service.

[No. 14.]

29th December, 1825.

Further proposals for increasing the army.

Brigadier-General Cotton has informed us that, besides the new levies which have been sent to Ava, it will be necessary to relieve at least four of the native regiments there, which have suffered most, by complete regiments from hence. I am of opinion that we ought at once to comply with his request, in order to avoid the danger of embarrassing the operations

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in Ava by any unnecessary delay. The officer commanding the army in chief has stated that in order to enable us to meet Brigadier-General Cotton's demand, and to provide for the pressing want of troops occasioned by the absence of so great a part of our army on foreign service, it will be necessary to raise immediately seven extra regiments of native infantry; and to make an addition of eighty troopers and horses to each regiment of native cavalry, besides a further addition of one hundred troopers and horses to the first regiment, to replace the casualties which must arise during its service in Ava. I am aware of the difficulty which is felt from the want of troops; but it is a difficulty which must always be borne to a certain extent when we are engaged in foreign war, and I therefore think that somewhat less than the proposed addition will for the present be sufficient.

By the measure of relieving four regiments in Ava, we shall lose the services of four regiments in India; because two regiments must land at Rangoon before one can embark on its return from thence, and two regiments must either be at Madras, waiting to embark, or on their march from the interior to the coast for embarkation. The arrival of the return corps will make no difference, because, as such relief must probably continue while the war lasts, whenever one corps returns, another must be put in march for the coast.

Number of Madras regiments now in Burma.

We have now in Ava, fourteen native regiments; in Aracan two, and the proposed reliefs require four; so that we shall have in all twenty withdrawn from our home force. Colonel Fair's brigade may be soon expected from Aracan; but it will be long inefficient, and even when restored, we shall still have eighteen native regiments appropriated to the service in Ava; and we shall have only thirty-two to cover the territories to which in ordinary times fifty regiments, our whole establishment of native infantry, is allotted. So great a demand upon our regular force can only be replaced by raising extra battalions. Had only twelve or fourteen native regiments been required for Ava, we might still have gone on a little longer without increasing our forces; but with eighteen native regiments and the greater part of our European troops either actually absent on foreign service or destined for it, to delay any longer the raising of extra battalions would be pushing too far the harassing duties of our sepoys, and risking too

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much by leaving the country too bare of military force. Even now we are reduced to the lowest point we can be with safety in this respect; but if we allot four more corps for relief in Ava, we shall not have the means of effecting the ordinary relief of corps at home, we shall be quite unable to assemble in case of emergency the smallest disposable force, and we shall exhaust the patience of the native troops and destroy their health and discipline by incessant exertion and want of regular relief or repose.

Four extra regiments should be raised.

Four is the smallest number of extra battalions that will be required. This number cannot for a considerable time make up for the loss of the four relieving regiments, and even when completed, will very inadequately supply their place. Two of the relieving battalions must reach Rangoon before Sir A. Campbell can send one in return, because while one of them relieves a corps at Rangoon, the other must proceed up the country, in order to relieve the corps which is first intended to come down to Rangoon on its way to Madras. It is not improbable that the state of affairs may induce Sir A. Campbell to retain both the relieving corps without sending back one, and in that case it will be necessary to raise six instead of four extra corps. The demand for troops has grown with the progress of the war. More have always been wanted than was at first thought would be necessary. It is only a few months since Sir A. Campbell said that he wanted no more, but we have since sent him His Majesty's 45th Regiment, and Colonel Stuart's brigade of native infantry; and if the war continue, there is every reason to believe that he will still want more. Should the enemy, after being driven from their present positions, make no further resistance, he will not stand in need of reinforcements; but we ought not to calculate upon such an event, but rather upon a continuance of resistance; and in that case, however successful he may be, he will require more troops to cover his lengthened communications as he advances. He looked at one time for co-operation from Aracan; but the abandonment of offensive operations from that quarter, which has been found necessary, will relieve the enemy from all apprehension on that side, and enable them to bring their whole force against him, and will compel him to look for additional aid from hence. We ought therefore to lose no time in taking measures to afford it to the utmost

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possible extent. It is always safer in war to anticipate wants than to wait for them. If we delay our preparations until another requisition is made upon us, they may be too late; for it is evident that we shall not be able to spare any more of our native battalions for foreign service, without raising corps to supply their place. If we raise extra corps, we shall be able, not only to relieve all the weak corps in Ava, and thus to render the army there more efficient, but to give Sir A. Campbell, in case of any emergency, two or even three corps, in addition to his present force. If we raise no extra corps, we shall not be able to comply with the demand for reinforcements by Sir A. Campbell, should circumstances compel him to call for them. Such a state of things might be attended with the worst consequences, and every precaution ought to be taken to prevent its occurrence.

Increase to one regiment of cavalry.

As only two squadrons of native cavalry have been ordered on foreign service, I do not think it necessary that any addition should be made, except to the first regiment, to which the increase of ten troopers and horses a troop, besides the further addition of one hundred troopers and horses, as proposed by Lieut.-General Bowser, should be authorized. Should more cavalry be required in Ava, we shall receive information on the subject in time to enable us to include the additional number of horses in the annual requisition upon the commissary-general in March.

Increase to infantry regiments in India, in order to lighten the garrison duties.

I recommend that the establishment of the native regiments of infantry on the home service be increased to 950 rank and file. This measure, though not so convenient as a greater increase of the number of regiments, will lighten considerably the severe duties of the troops, and will enable us at some stations, where a weak corps is employed, to relieve it by substituting five or six companies of a strong one.

The extra regiments may be reduced after the conclusion of the war.

As our army is, in my opinion, adequate to the supply of all our subsidiary forces, and to the defence of all our territories in India, the extra corps may be reduced on the conclusion of the war in proportion as the regular corps return from Ava; and in the mean time, as one, and possibly two, strong relieving regiments may be embarked before an answer to any reference to the Supreme Government could be received on the subject, I think that, anticipating their approbation of the immediate levy of four extra corps, and of the eventual

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levy of two more, we ought without delay to authorize the officer commanding the army in chief to carry the proposed augmentations into effect. I recommend, therefore, that four regiments of native infantry be brought to the Presidency in the course of the ensuing three months for embarkation for Rangoon; that four extra battalions of native infantry be raised, and the usual proportion of European officers be allotted to them; that the establishments of all the regiments of native infantry employed on the home service be augmented to 950 rank and file each, and that ten troopers and horses each troop be added to the first regiment of native cavalry, besides a further addition of one hundred troopers and horses to replace casualties in Ava.

[No. 15.]

9th August, 1826.

In answer to the letter from the Supreme Government, dated the 30th June, requiring the sentiments of this Government as to the practicability and expediency of furnishing from this Presidency the troops which may be allotted for Tenasserim, I am of opinion that such force, assuming the minimum estimate of His Excellency the Commander-in-chief as its amount, could be spared by this Presidency, without any augmentation of its present military establishment, pending a reference to the authorities in England.

Madras troops can be provided for Tenasserim.

Although we have been able during the war to send a large portion of our military force to Ava, yet by doing so we imposed very severe duty upon that which remained at home; and by leaving it so weak we ran considerable danger, in the event of any commotion in our own territory. In times of public emergency, the troops bear with cheerfulness the most harassing duties; but though they will submit to them for one, two, or three years during war, we cannot expect from them, nor would it be prudent to impose upon them, such extra duties permanently in time of profound peace, when the necessity for them no longer exists. I think, therefore, that in the event of the authorities in England determining that the troops for Tenasserim shall be furnished from Madras,

Provided that at least three of the extra native infantry regiments are retained.

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it will be necessary to continue three, if not the whole four extra native battalions. I think that one regiment of European infantry may be easily spared, which is all that is likely to be permanently required, and that another may be spared for a time; but I concur in the opinion of the Commander-in-chief, that in order to save time and expense, it would be better to transfer to this Presidency the 87th Regiment, now in Ava, than to send another regiment from hence.

Madras troops more suitable for the service than Bengal troops.

The native troops for Tenasserim should undoubtedly be furnished by Madras. They are all accustomed to be stationed on the sea coast, or near it, and even to embark occasionally in making the ordinary relief: they are, therefore, always more willing to go on foreign service than we can expect the Bengal troops to be. They are in general, too, of inferior caste, and have therefore less prejudice against the people of foreign countries, and are more likely to assimilate and live on good terms with them. In the event of any disturbance in Tenasserim, and a sudden call for reinforcements, this Presidency has a great advantage in sending them speedily, from its having so many military stations on the seacoast or near it. Even Bangalore, the principal cantonment, can send troops to the coast in three weeks.

Tenasserim should be finally annexed to the Penang Government.

I think that there can be no question of the justness of the reasons for which the Supreme Government deem it expedient that Tenasserim should finally be annexed to the Penang Government. That Government, from its situation and its possession of Malacca, is more intimately connected with the different states on the Malay peninsula, will take a deeper interest in the affairs of Tenasserim, has more leisure to direct its attention to them, and will administer them much more efficiently than either Bengal or Madras.

[No. 16.]

28th February, 1826.

Rewards proposed for certain native officers for their services in Aracan.

The officer commanding the army in chief has strongly recommended to the favourable consideration of Government the services of two subahdar-majors, one subahdar, and one first dresser, belonging to the 5th Brigade, under Lieutenant-Colonel

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Fair, lately returned from Aracan. This brigade embarked in 1824, and landed at Chittagong in the midst of the south-west monsoon, and remained hutted there during the rainy season. In the beginning of the following year it accompanied the army under General Morison, which invaded Aracan; and after the reduction of the capital, it proceeded by sea, under Brigadier-General McBean, to Ramree and the southern parts of the province, from whence it did not get back to Aracan till May, when the rains had already set in, to which it was exposed with very little cover until the men could hut themselves.

Hardships to which the troops were exposed on this service.

In the course of the operations against Aracan, the movements of the brigade, in consequence of the want of carriage, were necessarily made in almost every instance by water, in boats and small craft. Several of these were lost, with the baggage of the men and officers; and the troops suffered greatly, not only from the loss of their equipments, but from the constant exposure to the weather on an element to which they were unaccustomed. The native troops of this Presidency have often readily embarked for foreign service, but never on any former occasion has their patience been tried by so many embarkations as in Aracan. The native officers, by whose example they were encouraged to submit with cheerfulness to a service so harassing, well deserve to be distinguished by some mark of public approbation. It is good policy to cherish such a spirit among the native officers; for while it is exhibited by them, it will never be found wanting among the men, and it is evident that the success of every foreign expedition must mainly depend on the zeal and alacrity with which they embark.

Policy of encouraging a good spirit in the native officers.

Specific recommendations.

I therefore recommend that the old subahdar-major Sheik Ibram, of the 16th Regiment, who refused to be invalided, or to remain behind his regiment when ordered to Aracan, be presented on the part of Government with a sword and palankeen with the usual allowance; that he be pensioned on the full pay of his rank, and the staff allowance of subahdar-major; and that after his decease a pension of half the pay of a subahdar of infantry be granted to his family; that subahdar-major Sheik Guru, of the 10th Regiment, be presented with a palankeen with the usual allowance, and his family be pensioned on the half pay of a

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subahdar of infantry after his decease; and that Sheik Tippu, senior subahdar of the 10th Regiment, be promoted, as supernumerary, to the rank and pay of subahdar major. I also recommend that first dresser White, of the 10th Regiment, be promoted to the rank of sub-assistant surgeon as a supernumerary, until brought on in rotation to the effective establishment.

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SECTION V.

MISCELLANEOUS.

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ON COMPULSORY REQUISITIONS FOR SUPPLIES.

15th May, 1802.*

As it is a common practice, not only among camp-followers, but also with all bullock-men from the Carnatic bringing stores on account of the Company, to take straw forcibly from the inhabitants, either for nothing or at a rate much below its value, it becomes our duty to lose no time in putting a stop to this abuse. I must therefore request that you will publish to the inhabitants of your respective districts, that they are at liberty either to sell their straw or not as they please, and that when they sell it, they are not obliged to part with it to the cavalry and camp-followers below the bazar price.

Inhabitants of Ceded Districts to be informed that they are not obliged to sell straw to the cavalry or to camp followers below the market price.

It will frequently be necessary, when detachments of cavalry are passing through the country, that the amildárs should furnish them with straw; but on all such occasions it should be given at the market price, by which I mean that price at which it has been during the preceding week sold to banjáris and merchants.

It will no doubt be objected that, unless some degree of compulsion is used, the ryots will not part with their straw, and that the cavalry horses will suffer greatly from the want of it. I see no good reason, however, to apprehend that this will happen. The consumption of straw by banjáris † and merchants is greater than by the cavalry, and yet banjáris and merchants never experience any difficulty in procuring a supply. The cavalry will always be able to obtain it by the same means—by paying the fair price. The ryots, after reserving an adequate supply of forage for their own cattle,

There will rarely be any difficulty in obtaining straw for the cavalry at the market price.

* A letter addressed to Munro's Assistants in the Ceded Districts.

† *Banjári*, literally a trader. The term is most commonly applied to the grain and cattle dealers who move about in large bodies to the different markets.

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must of course be desirous of selling the remainder; but then they will sell it rather to individuals who agree to take it at their price, than to public servants who dictate their own. If the cavalry would pay for their straw as freely as private dealers, they would get it with the same facility, and were they to make a trifling addition to the price, the ryots themselves would bring it in for sale to their lines.

Impolitic and oppressive to compel ryots to sell the produce of their land.

It may possibly occur, though it is not a likely case, that all the spare straw in the country to a considerable distance round a cavalry cantonment being consumed, no more can be obtained except at a very exorbitant price; but, even allowing that such a contingency should arrive, it can never be a plea for compelling the ryots of the nearest villages to sell to the cavalry the stock which they had reserved for the use of their own cattle. The ryot has nothing to do with the argument of the public service. He grows his straw for his own bullocks, not for the Company's horses. When he has paid his rent, he has discharged every just claim that Government has upon him; and to prevent him from making the most of the produce of his land, from which he draws the means of paying that rent, would be both impolitic and oppressive.

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ON THE SAME SUBJECT.

30th April, 1821.

Evils of compulsory requisitions for coolies, provisions, or cattle.

ANOTHER great benefit which the Regulation in question is calculated to produce, is the securing of the persons and property of the inhabitants from forcible seizure, for the convenience of travellers and of troops when marching. This evil has been long complained of, and has gone on increasing with our power. It was described by Mr. Hodgson in his Minute; but his statement, strong as it is, falls much short of the reality. Regulation III. of 1810, which was meant to alleviate, has greatly augmented it; because, by making it the duty of the Magistrate to furnish troops on the march with provisions and conveyance, it has led officers to neglect the precautions which were formerly in use for supplying themselves before the march commenced, and to trust almost entirely to the villages on their route for everything. All the evils which the country suffers occasionally from bad seasons and other natural causes, are light in comparison with this, which is sanctioned by law. It is so extensive, that we do not hear of one-fiftieth part of the oppression which springs from it. No body of troops, no detachment or guard, ever stirs without some compulsory requisitions of provisions, or coolies, or cattle, which is too frequently attended with some outrage upon the persons of the village people. A great road, which is in most countries an advantage to the villages near which it passes, is in this country the reverse. Such villages generally lose some of their inhabitants, who remove from the dread of being pressed themselves, or having their labourers pressed as coolies; and instances sometimes occur in which the whole ryots of the village quit it from this cause, and choose a new

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site for their habitations, at a greater distance from the road. When the Magistrate is called on to collect supplies at the different places where troops encamp on their march, he is obliged to order the tahsildárs to send grain and other articles from the villages within ten or twelve miles of the camp. As the owners are unwilling to quit their homes, the sending them is always a matter of compulsion; they are placed under a guard like criminals, to prevent their escape. If the troops do not arrive at the time expected, they are kept under restraint till their arrival. The full price is seldom paid; no compensation is made for their detention or the distance from their homes; and of the price that is paid, a considerable part usually remains in the hands of the curnums and other revenue servants, or of the private servants who have received the money from their masters in order to adjust the account. If the conveyance of the detachment is deficient, coolies are pressed, or the bullocks of the villagers who brought grain to camp, are seized, and sent on with the troops, and frequently never returned. Travellers are, in proportion to their numbers, more oppressive than bodies of troops. The evil never can be remedied, as long as Government authorizes its officers to undertake the supply of all the wants of troops and travellers at every stage of their progress through the country; but it may be easily remedied by a prohibition against affording any such aid, excepting at principal towns, where coolies and bullocks are voluntarily hired. It may be thought that the enforcement of this rule will frequently occasion considerable inconvenience both to troops and travellers. The regimental bazars recently established will secure the troops from want. It will be the duty of commanding officers, before they begin their march, to see that the bazar has a sufficient stock, and that it is kept up by occasional purchases on the road. The experiment is not a new one. Many corps have had such bazars, and have passed through the country without requiring any assistance from the local authorities. It may be asked, how are officers to carry on their baggage if any of their coolies or cattle are lost on the march? It may be answered, that officers will travel lighter when they know that they are to expect no help from the public, and that bullocks are everywhere to be purchased, if a fair price be given. It is this price which constitutes the only real difficulty. A

Public officers should not undertake to supply troops or travellers.

For troops the regimental bazar ought to be sufficient.

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villager has seldom more bullocks than are necessary for his own use. He will therefore not sell one at the market price, because he must purchase another, and may, in the mean time, suffer some loss and inconvenience from the want of it. But if such an addition be made to the price as may in his opinion counterbalance this loss, he will sell it. The real value of the bullock may be twenty rupees, but in order to part with it he must probably have twenty-five or thirty, and the officer, by paying this, will save his baggage. The case is the same with regard to travellers; they may get whatever the village affords, by paying what the owner thinks a full compensation for the article. A traveller often requires articles which nobody in the village keeps for sale, and for which he must therefore pay more than what he may deem to be the just price. The idle complaint that the inhabitants will not sell provisions or forage without an order, deserves no attention. How do the native traders who pass through the country with thousands of fine bullocks, laden with cotton and betel-nut, find no difficulty in procuring supplies for themselves and cattle? Half the inhabitants of a village are frequently seen going out to their tents carrying bundles of straw, while a traveller * at the same village can hardly procure a single bundle for his horse. The difference arises entirely from the mode of fixing the price, from its being done in one case by the seller and in the other by the buyer. The numerous body of bullock-men employed by shopkeepers in transporting supplies from Madras to the distant stations, get whatever they want at the villages, and find no difficulty in replacing such of their bullocks as die on the road. It is only Europeans and their servants who meet with difficulties, and it is only when the servant travels with the master that he meets with them, and the cause is evident enough. He endeavours, under the authority of his master's name, either to evade payment altogether, or to pay as little as possible for what he gets in the village, and the village people are naturally enough averse to any dealings on such terms. It is to no purpose that some travellers are punctual and see everything paid for liberally. One or two travellers of an opposite character alarm the inhabitants and make them avoid Europeans. Let an end be put to all forcible requisitions;

The price of supplies should be left to be fixed by the seller, not by the buyer.

* Reference is evidently made to European travellers.

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let all officers, European and native, understand that they are to have no aid from any public authority in passing through the country, and we shall soon see that when the inhabitants perceive that nothing can be taken from them by compulsion, they will be more ready in bringing forward what they have for sale, and travellers will be more readily supplied with what the village affords, than now.

The system of requisitions should be entirely abolished.

The system of requisition, as far as regards the pressing of coolies, is perhaps more extensive under our own than the native governments, and it is so discreditable to our administration and so oppressive to the people, that no obstacle ought to prevent us from putting an end to it. No measure, short of a total prohibition by law, can have this effect, and I therefore approve entirely of this part of the proposed Regulation.

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ON DISARMING THE PEOPLE.*

24th May, 1804.

Policy of disarming the people doubtful.

I HAD the honour some time ago of receiving your letter of the 14th March relative to the use and manufacture of arms. I have never purchased any arms from the inhabitants of the Ceded Districts, because the policy of disarming them was doubtful, and at any rate it was evident that the measure never could be so fully accomplished as to answer the end proposed. A heavy expense would have been incurred in attempting to carry it into effect. The quiet and industrious classes of the inhabitants would in general have surrendered their arms, and those alone would have retained them from whom danger was to be apprehended.

The inhabitants of the Ceded Districts are compelled by the state of the country, as a rule, to carry arms.

There are very few of the inhabitants of the Ceded Districts without a sword. Most of them have, in addition, either a pike or a matchlock, and many have both. This universal use of arms may be attributed to their being exposed in an open country to the incursions of horse, against whom they have no protection but the defence of their villages, and to the inability of former governments to repress the disorders of their feudatories and of banditti, rendering it necessary for the inhabitants of every village to be provided with arms for their own safety. If they were completely disarmed, a body of horse entering the country would meet with no resistance: many of the inhabitants might escape to the hills or to places which were garrisoned, but the greater part would fall into their hands; their habitations would be burned, they would be tortured to discover their property, and they would save so little of it that it would be many years before they could again carry on cul-

* This paper and the three papers which follow, are letters addressed by Munro, while Principal Collector of the Ceded Districts, to the Board of Revenue at Madras.

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tivation to its former extent. But while they are armed as at present, the incursion of an enemy's horse could do no lasting injury to the country. It would not even materially affect the current year's revenue, unless it happened at the sowing or reaping season. At any other period the horse could do no other mischief than to drive off some cattle, or burn some straw or scattered houses; but the villages being all fortified, they could not take them, for the firearms of the inhabitants would keep them at a distance.

Probable effect of disarming the people.

The Ceded Districts are surrounded by the Arcot pollams, Mysore, and the territories of the Peshwah and the Nizam. All these countries are armed and are full of banditti, who would make continued incursions for plunder into the Ceded Districts, if they saw the inhabitants deprived of the means of defence. They are checked at present by the knowledge that they would everywhere meet with resistance from the villagers, rather than by any apprehension of the revenue or police peons. It would therefore answer no good purpose, in the present state of the neighbouring countries, to disarm the Ceded Districts. I can see no way in which such a measure would be attended with advantage. In endeavouring to carry it into effect, all the well-disposed part of the people would be disarmed, while the disaffected would keep their arms; for they could easily conceal them so as to avoid discovery. But as those who would support, are much more numerous than those who would, in any change of circumstances, oppose the Government, the great body of the inhabitants being armed is a better security against internal disturbances than could be derived from any partial disarming.

Impolicy of purchasing arms with a view to a general disarmament.

The purchase of arms, as observed by the Board, can have no other effect than to encourage their manufacture and importation. A country can never be disarmed by such a mode, for only such men will sell as do not mean to use their arms. Great numbers of arms may, no doubt, be collected in this manner, but still nothing is done, while those retain them who are ready to join in any combination for exciting disturbances. The districts of zemindárs and poligárs, who have the management of their own revenue, cannot possibly be disarmed. In order to disarm the district of a zemindár, it would be absolutely necessary that his authority should be previously done away, that a strong military force should be stationed in his country, that

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it should be put under martial law, that punishment should be inflicted for the concealment, as well as rewards given for the delivery and discovery of arms, that the owner of the arms should always appear personally, that the head men of the village should certify their being his property, and that a guard with a revenue servant should be placed in every village for the purpose of facilitating the receipt of the arms seized or surrendered. By any mode of proceeding less rigorous, a great quantity of arms might be collected, but they would not be got from the men in whose hands they were likely to prove dangerous.

The manufacture of arms cannot be prevented in the zemindáries.

The fabrication of arms may be prevented in the sirkár districts, but not in those which are held by zemindárs; but it makes very little difference whether or not they are made in the country; for while a prize sufficient to balance the risk of smuggling is offered for them, they will always be important. They can be purchased at all times in the territories of the Nizam and the Mahrattas, at a rate greatly below their value; for the numerous peons of all descriptions who are continually discharged upon every change of amildárs and other officers, are ready to sell their arms at a trifling price. When they are again enlisted, they hire or borrow arms, and after getting one or two months' pay they can afford to purchase. Many bullock loads of arms were seized last year going to the Carnatic, not only from the northern parts of the Ceded Districts, but from the Doáb, and there is no doubt that had the same terms been held out as before, they would have been brought from a much greater distance.

Steps taken to restrain the use of arms.

Although, for the reasons already mentioned, I have not bought any arms, I have endeavoured to restrain their use, as recommended by the Board; but as this can only be done by giving a trifling reward for their seizure, I have directed all persons passing through the country with arms, except sirkár servants, banjáris, and bullock-men, to be disarmed, and one cantarái fanam * to be paid for every firelock or matchlock, and half a cantarái fanam for one of every other kind of weapon. This reward will be sufficient to answer the end for which it is given, without encouraging the manufacture of arms, and as it will probably not exceed a few hundred pagodas in the course of the year, I trust that it will be authorized.

* *Cantarái fanam*, a gold coin equal in Madras silver currency to a little less than three rupees.

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THE COURSE TO BE TAKEN BY GOVERNMENT IN DEALING WITH A SCARCITY OF GRAIN.

7th August, 1804.

Recommendation that with reference to the existing scarcity, the exportation of grain should be stopped.

The scarcity of grain which has prevailed during the last two years throughout the Ceded Districts has now risen to such a height as to threaten a famine. The increase of price within these ten days has been very rapid, owing to the prohibition of exportation from Mysore, but more particularly to the failure of the rains for the early crop of the present year. Rice, which formerly sold here from twenty-five to thirty seers the rupee, is now selling at eight and nine seers. Gram, which in ordinary years sells at from fifty to sixty seers the rupee, is now selling at fourteen seers the rupee, and all other grain is dear in proportion. Under these circumstances any further exportation of grain to the territories of the Nizam or the Mahrattas may be attended with the worst consequences, and I must therefore submit to the Board the expediency, or rather necessity, of prohibiting it, unless when grain is required for the subsistence of the troops serving beyond the Krishna.

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THE SAME SUBJECT.

11th January, 1805.

The season this year has been favourable throughout the greatest part of the Ceded Districts, and the produce will be considerably more than the consumption of the inhabitants. In an ordinary year the produce is reckoned to be equal to at least fifteen months' consumption. The crops of the present season are more abundant than those of an ordinary year, and even after deducting about one-twelfth part of the whole, destroyed by the inundation on the 13th and 14th of October last, the remainder will probably be sufficient for the consumption of sixteen months.

Favourable state of the season. In an ordinary year produce equal to fifteen months' consumption.

The whole of this surplus produce cannot be exported, because the last two years of scarcity have completely exhausted all the grain laid up in Fasli 1211, when it was cheap, in order to sell when it should become dear. The substantial farmers and merchants who speculate in grain, will buy up a part of the surplus, and the rest will be exported to the countries beyond the Tongabadra and to the Carnatic. The high price of grain in the countries beyond the Tongabadra might be expected to draw it chiefly to that quarter; but as the southern and eastern districts are those which yield the greatest quantity of grain, and as they are at so great a distance from the Tongabadra that the difference of price would not compensate for the heavy expense of so long a carriage, their extra produce will, no doubt, go principally to the Carnatic.

Surplus produce will be exported to the Carnatic.

It does not seem necessary that Government should take any steps to promote the exportation of grain from this

Interference of Government in

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connection with exportation of grain inexpedient.

country to the Carnatic. If the scarcity there is great, the high price and the exemption from duty will of themselves occasion the exportation of all that can be spared. The interference of Government would be more likely to hinder than to forward it. Whether they make advances to dealers or attempt to accomplish their object by other means, their being concerned in the business could not be concealed; and this circumstance alone would, in a variety of ways, tend to discourage the exportation of the extra produce of this country to the Carnatic. It would deter many of the persons who usually carry on this trade from prosecuting it; because, as they could not foresee to what extent the agents of Government would purchase, they could not so well calculate upon the probable state of the market as when the trade was left to itself, and they would not therefore enter into it with the same confidence. It would excite a suspicion that a maximum might be fixed, as is frequently done in the territories of the native princes in time of scarcity. And it would have the immediate effect of raising the price; because, whenever it was known that Government were purchasers, the quantity required would be greatly exaggerated: it would be supposed that it was intended to form depôts, and those persons who had grain, would keep it up in the hope of obtaining a greater profit. All my own purchases for the supply of the armies have always raised the price much higher than it would have risen had those purchases been made by private merchants, because the owners of grain can form some estimate of the probable amount of private dealings, but they see no limit to those of the agents of Government.

Extensive character of the trade in grain.

The constant trade in grain between the country and the towns, between adjoining districts, and even between the territories of different powers, in consequence of the temporary and local scarcities so frequent in India, employs perhaps a greater number of men and bullocks than all other branches of trade taken together. No danger need, therefore, be apprehended that the Carnatic will not receive the surplus produce of the western provinces, whenever the scarcity is so great as to yield a profit to the merchant after defraying the expense of carriage. Besides the numerous class of petty merchants who are always engaged in this trade, many of the common ryots enter into it when they see any prospect of advantage;

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and during the dry season of the year, when they are not employed in cultivation, they load their grain upon their own bullocks, and carry it for sale to the countries below the Ghâts. There are also between twenty and thirty thousand banjáris in the Ceded Districts, who carry grain to sell wherever it is dear. When all these circumstances are considered, there can be no doubt that the safest and best plan would be to leave the grain trade between the Carnatic and the western provinces to itself, and to limit the exertions of Government to importation by sea for the relief of the towns upon the coast.

The quantity of grain which it is safe to export, will be regulated by the owners themselves.

Even if it were possible to send all the surplus grain of the Ceded Districts to the Carnatic, it would not be advisable to adopt any measure which might have this effect; because, if the Ceded Districts reserved only a sufficiency of grain for their own consumption until the end of the year, and if the next season proved unfavourable, it would be difficult, if not impossible, to supply the deficiency: they could not, like the Carnatic, receive assistance by sea; and what would only have been a common scarcity, had they kept a part of the former year's grain, might, from the want of it, rise to a famine. Grain is now daily exported from this country to the Carnatic, but a great part of the surplus will be kept up till June, when the seed time begins. If the season is then favourable, and if the scarcity continues in the Carnatic, nearly the whole of it will be exported to that province; but if the seed time is unfavourable, the grain on hand will not be exported, but will be reserved by the owners for the supply of this country, because they will make a greater profit here than they could effect in the Carnatic. The price of grain even now, though the season is a good one, is very high. Rice in the northern districts is from eight to ten seers the rupee: in the southern districts it is from twelve to fifteen seers. It is upon an average more than double the usual price. In Gurramkonda, which is the most plentiful district, and the nearest to the Carnatic, the price is fifteen seers the rupee: that of ordinary years is forty-five. This high price arises from the two preceding years of drought having reduced all the countries of the Deccan to a state of famine, and entirely consumed in the Ceded Districts and Mysore all grain that had been laid up in former years of plenty. The price

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of rice at Arcot was lately, I believe, ten seers the rupee; but it is evident that unless this price rises, there can be but very little profit on exportation from this country. If it does not rise, it may then be concluded that the Carnatic is as well supplied as the Ceded Districts, and that it requires no assistance from them.

Few districts in India, in an ordinary year, fail to yield more grain than is required for their consumption.

However unfavourable the season may have been in the Carnatic, the produce will probably be found to be very nearly equal to its consumption. There are few districts in India which do not, in an ordinary year, yield more grain than is required for their consumption; a total failure of the crops is unknown, except in single villages or very small districts. In the very worst years, when the crops are everywhere poor, and in particular villages totally destroyed, the produce is always equal to eight or nine months' consumption, and the deficiency is made up by the grain of former years remaining on hand, and by importation from the neighbouring provinces where the season may have been more favourable. The seed time in India continues so long—it is so easy when one kind of grain fails, to plough up the land and substitute a second; the produce is in general so abundant, and there is usually so much grain laid up in plentiful years by the farmers and merchants, that it may be safely asserted that no famine is ever produced in this country by the operation of the seasons alone.* The scarcity which arises from the seasons is converted into famine in the territories of the native powers by war, by the rapacity of Government in anticipating the revenue, by absurd, though well-meant, regulations for keeping down the price and supplying the great towns, and above all, by the endless exactions and robberies of petty zemindárs. If the early crop—which is sown in June and July—fails, the native governments, instead of throwing upon the second crop a part of the kist of thirty per cent., which is usually paid in September and October, collect, not only the whole, but ten or twenty per cent. more, because they are apprehensive that the second crop may also fail, and that they will then be unable to realize the balances. Many of the ryots whose crops have failed, and who are unable to pay their first kist, abscond in October, and the cultivation of the second crop is by this means diminished below what it would otherwise have been. When

No famine is ever produced in India by the operation of the seasons alone.

* The correctness of this assertion has been sadly disproved by subsequent famines.

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the scarcity increases, a price is often fixed in the capital and great towns, and the merchants are compelled to sell at that rate. Even though this price should afford a considerable profit, yet as the dealers in the country cannot depend upon its continuance, they either conceal their grain or endeavour to dispose of it somewhere else. But next to a state of war, the exactions of zemindárs tend, more than any other cause, to increase a natural scarcity. As the price of grain rises, they augment their duties, and if any objection is made to the payment, they frequently plunder the carriers. When the scarcity becomes extreme, and when they know that the neighbouring provinces can only be supplied by grain brought through their districts, they increase their demands, and, besides exorbitant duties, exact presents from the merchants to protect them from thieves employed by themselves. If the State to which they are tributary, is at war, they take advantage of its weakness and plunder the sirkár districts, and thus lessen still more the scanty cultivation of an unfavourable season.

In native States the rapacity of the Government and exactions of the zemindárs, combined with bad seasons, produce famine.

These, rather than the want of rain, are the causes which have produced the famine by which the Deccan has lately suffered so much. The drought was, I believe, during the last two years, as severe in Mysore and the Ceded Districts as in the Deccan; and I am convinced that, had that country been under the Company's Government, there would have been no famine in it. In June last, when rice was selling at eight seers the rupee in the northern part of the Ceded Districts, it was at five seers at the distance of twenty or thirty miles in the Doáb. Had the communication not been interrupted by the exactions of zemindárs, the difference of price would not have been more than one seer. The soil and produce of the Adoni and Raichur provinces are perfectly similar. They are only separated by the Tongabadra; yet in the one there was merely a scarcity, while in the other there was a famine. But had Raichur been left to itself, the famine would have been as severely felt there as in the countries north of the Krishna. It was mitigated by supplies from Mysore and the Ceded Districts, and still more by the presence of an army of observation repressing the predatory warfare of the Nizam's tributaries, and enabling the ryots to cultivate their lands in peace. The season of 1212 * in the

* The *Fasli* year is here referred to.

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Ceded Districts was very unfavourable; and that of 1213 is said by the inhabitants to have been the worst ever known. It appears, not only from their report, but from the stronger evidence of revenue accounts, that the drought was greater, and the cultivation less, last year than in 1792-3, when rice sold at two seers the rupee. The famine of that year was chiefly occasioned by the turbulent state in which the country remained for some time after the retreat of the confederate armies, and by Government taking the whole of their revenue in hand in those districts where the crops were good, and selling the produce to the inhabitants of those districts where the crops had failed.

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THE SAME SUBJECT.

9th February, 1807.

Means of mitigating a scarcity of grain. Importation by far the most effectual.

The distress attending an unfavourable season may be mitigated by encouraging importation, prohibiting exportation, reducing the rents of the lower classes of ryots, and by giving employment to the poor on public works. Besides these, there is perhaps no other way in which Government can interfere with any advantage; but of all these means importation is by far the most effectual for promoting the attainment of the objects in view; for if the stock of grain in the country is supposed to be inadequate to the maintenance of the inhabitants until the next harvest, it is only by importation that it can be augmented and made to last till that period; or if the stock of grain, though equal to the subsistence of the inhabitants, be so dear as to place it beyond the reach of the lower orders, it is still only by importation that the price can be so far reduced as to enable them to purchase food. If importation could be carried to such an extent as to keep the price at a moderate rate, it would be unnecessary to take any steps for the assistance of the poor, because they would easily find employment among the other classes of the inhabitants. The importation by sea to Madras has already had the effect of stopping the exportation from the Ceded Districts to the Carnatic, and of keeping grain in the Ceded Districts cheaper than it otherwise would have been; for the price has been nearly stationary during the last two months. This is partly owing to the intervention of the harvest season, but much more to the importation by sea, because rice imported in that way may be sold as

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cheap, or perhaps cheaper, than it can be furnished from this country. While the importation by sea, therefore, contributes to the relief of the Carnatic, by pouring into it supplies of grain, it produces the same effect in the provinces above the Ghâts by diminishing exportation to the coast.

Exportation of grain should not be prohibited except on grounds of the strongest necessity.

The stock of grain in the Ceded Districts may be made to last somewhat longer by prohibiting the exportation to the territories of the Nizam and the Mahrattas. Though this exportation is considerable, it is much less than in former years, because the drought of the present season has been so extensive that grain is everywhere dear, and there is nowhere such a difference of price as to encourage an unlimited exportation from one province to another. The price is not yet so high as to make it necessary to stop the importation to the Deccan, and it will most likely continue nearly at its present level until May or June. If the rains at that period are abundant, it will probably rather fall than rise; but if they fail, it will increase rapidly and oblige me to submit to the Board the propriety of forbidding exportation to foreign States. Such a measure, however, ought not to be adopted without the strongest necessity, because it hinders the farmers from making up for the loss of almost the whole of their crop by the high price of the remainder.

Remission of assessment in the case of the poorer ryots, of whom, however, many will be reduced to the rank of labourers.

As there is no mode in which the distress of the lower classes of ryots can be alleviated so readily and generally as by an abatement of rent, I shall be careful, in forming the settlements, to make such a reduction for that purpose as circumstances may require; but the failure of the crops is in most places so complete that great numbers of ryots, though the whole of their rent be remitted, will be obliged to sell their cattle for subsistence, and will be reduced to the rank of labourers. This change, though hard upon them as individuals, will not affect the interests of the community; for the principal farmers will find it difficult to get agricultural servants and will gladly hire them, and the cultivation of the country will suffer little or no decrease.

Proper mode of employing the poor in time of scarcity. They should be employed near their own villages.

The poor, both for their own benefit and that of the public, ought to be employed in repairs of tanks, nullahs, wells, and in general all such works as tend to increase the produce of the country. It would in all cases be desirable to employ them as near as possible to their own villages, both in order to save

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them from the expense of a distant journey and from the danger of perishing by pestilential disorders, which usually prevail wherever a crowd of poor and ill-fed people is drawn together from different quarters.

Increase of the water supply a most necessary and useful work.

In many provinces, as well as in the Ceded Districts, the springs in wells are probably nearly dry, and the water in the beds of rivers and nullahs sunk much below its usual level; and unless the supply of water is increased by digging, the rice fields in such situations will yield little or nothing. It would, therefore, be advisable to grant Collectors a general authority to make such disbursements as may be necessary for the security of the standing crops. It would be impossible to make an estimate of the sum which will be required for this purpose; and even if it could be done, it would be too late, as the grain would have been withered before authority could be received for executing the works necessary for its safety. These works are very generally carried on by the cultivators themselves; but from the excessive drought they have become, in many places, too expensive for them to accomplish. Such works are at the present moment the most important of all others, for they not only give employment to the poor, but by preserving the crops they lessen the scarcity and keep down the price in a more beneficial way than can be done by importation.

Ill effects of Government relief.

The employment which the poor find among the more substantial inhabitants, is much greater than what can be given to them by Government. They are employed in their several villages as extra servants by the merchants and ryots, and many procure a maintenance by bringing in grass, firewood, bamboos, and other articles for sale. In 1213, when grain was dearer than it is now, many thousands of half-starved people from the Deccan found employment in the Ceded Districts, chiefly among the ryots. The hire was a very small portion of grain, but it kept them alive and enabled them to return to their own country. Were Government to offer to the poor any other relief than the wages of labour, were it to issue grain to them gratis or at a reduced price, it would only have the effect of increasing their number, of drawing them together from all quarters, and of encouraging them to abandon themselves to the protection of the public, and to neglect the salutary means of preserving themselves

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by their own exertions. In India, as well as in all other countries, the distribution of charity will always be found to increase the number of the poor, which will always at least keep pace with the fund destined for their relief, whatever its amount may be. Were grain, in this country, to be issued to the poor at any particular station, the report would soon reach the remotest corners: the relief to be afforded would be greatly exaggerated: the poor who now procure a livelihood by their labour, would crowd in from all sides in the hopes of procuring it upon easier terms. It would soon become impossible to maintain such a multitude, and famine would appear among them. But this is not the only evil which would attend their being drawn away from their own villages; for the loss of their labour would be felt, and the crops now on the ground, as well as the cultivation of the ensuing season, would suffer from the want of hands.

Charitable qualities of the natives of India.

The natives of India are probably as charitable as those of any other country, and the poor may be left to their care with more safety than to that of any public institution. As long as there is not an absolute famine, the poor are in little danger; for they will derive a subsistence either from private charity, or from their own labour. Notwithstanding that the present season is beyond all comparison worse than any that has ever been known, I see no reason to apprehend a famine in the Ceded Districts. I cannot discover that such an event has ever happened in any former period, unless when war was added to an unfavourable season; and from what I now see, I am convinced that the seasons alone, however adverse, can never in one year occasion a famine, and that there is no risk of the occurrence of two such bad years in succession as to produce this calamity; for this would be supposing that to be probable which has never yet happened. 1212 and 1213 were the two worst successive years ever remembered, but they occasioned no famine. The produce of the country supported not only its own population, but many thousands of emigrants from beyond the Tongabadra, besides a great exportation to the Deccan, continually urged on by the famine in that quarter. At the close of the year 1213 rice was at eight seers the rupee, or about one-third dearer than it is now; but as even that high price, though it distressed the poorer sort of inhabitants, produced no famine, it may be confidently assumed that such

Adverse seasons can never occasion a famine in a single year. Prospects of the season.

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a misfortune cannot take place until the price rises above what it was at that time. But it is likely that the price will continue nearly stationary until May or June. Should there be no rain in those months, it will rise, but not to such a degree as to induce a famine. I found this opinion both on my own observation and the judgment of the best-informed natives, who assert that the grain in hand, together with the crops on the ground, is sufficient for the internal consumption until October or November, when the harvest of 1217 begins. I am myself persuaded that it is sufficient for a still longer term. I am led to think so from the abundance of the two preceding years, from the general practice among the ryots and merchants of storing grain in pits, from the present state of the markets, and from having had an opportunity of discovering that the quantity of old grain in several villages is very considerable. In one village it appears that the quantity of jawári * belonging to merchants amounted to 420 garce. I learned this, not from any particular inquiry, but from an application made to me by the merchants for leave to sell it, in consequence of the ryots who had sold it to them last year, but not delivered it over, having refused to let it be removed from the pits. In this village there is no crop in the present year, and the ryots therefore wished to keep the grain which they had sold last year but not delivered, and to replace it with interest next year. I do not mean to infer from this instance that there are such stores of grain in every village, but I believe there are several villages in every district in which there is nearly an equal quantity. It is unnecessary, and it would be imprudent, to enter into any minute investigation for the purpose of ascertaining the stock of grain in the country, for it would excite suspicion that Government intended to lay some restriction upon its sale, and induce the owners to export or conceal it. The bazar price furnishes a better estimate of the resources of the country than can be obtained from any inquiry whatever.

Were I to look to the crops of the present year for the support of the inhabitants, I would have no doubt that a famine was rapidly approaching; but having witnessed the unfavourable seasons of 1212 and 1213 pass away without occa-

* *Jawári*, a species of millet, more commonly called *cholam* in the Madras Presidency.

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sioning any serious distress, and knowing that the subsistence of the people does not depend entirely upon the produce of one or even two years, I contemplate the present scarcity with little alarm, so far as it regards the preservation of their lives. The Ceded Districts, from their remoteness from both monsoons, are more exposed to drought than the Carnatic, and the inhabitants are here perhaps more accustomed to guard against the effects of dearth by laying up a supply of grain in plentiful years. Jawári, their principal food, may be kept good in pits from ten to twenty years. Large quantities of it are laid up, not only by merchants, but by all the more substantial ryots, and are not brought out for sale except in those years when prices are high. The dearth in those districts and the famine in the Deccan in 1213 exhausted nearly all the stock of former years; but a great deal of that of 1214 and 1215 still remains on hand, and a considerable portion of it will be reserved till June, in the hope of obtaining a greater price, should the rains in that month fail. Almost all the lower class of ryots, too, though they cannot afford to keep grain for a distant speculation, usually reserve enough to maintain themselves throughout the year. Such of this class as have had no crop this year, will support themselves until next harvest by working as labourers. Those who have had some, will provide for their own subsistence before they sell any to discharge their rent. The present season is worse than that of 1213 for the poor among the ryots, but not for the poor of other classes; because the poor of other classes are only affected by the price of grain, which is not yet as high as in 1213; while the poor of the ryots are affected chiefly by the failure of their crops, whatever the price may be. The high price of 1213 was occasioned as much by exportation as by deficiency of produce: that of the present year arises solely from the dearth. The poorer ryots in 1213 obtained a quarter or a half of an ordinary crop, and did not suffer from the high price, but rather gained by it, but in the present year many of them have no crop at all; and though they will find means to maintain themselves, that object would be facilitated by giving them employment on tanks and other public works.

I am confident that the Ceded Districts will support their own population during the present season. They can be distressed only by exportation. That to foreign territories

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may be stopped whenever it is deemed expedient; but that to the Carnatic must depend upon the circumstances of that province. It has ceased during the last two months in conquence of the importation by sea, which, if it continue to produce the same effect, will be the most effectual mode of assisting these districts, as they can derive no assistance from other quarters. The price of grain, which is in all countries the best ground on which a judgment may be formed of the probability of a dearth or famine, must be peculiarly so in them; for it is more easy for the grain dealers to calculate the stock in a country which can draw no supply from any other, and to regulate their prices accordingly, than to estimate the quantity of grain in a country which can import that article by sea. If the price, therefore, is adopted as the measure of the stock of grain in the Ceded Districts, there can be no cause for alarm. The vast number of petty grain dealers in Indian countries not only keeps the price as low as it ought to be, by rendering combinations for raising it impracticable, but makes that price a surer test of the quantity on hand, and exported from the crop, than it would be if the trade were limited to fewer persons; for though a few great speculators might be wrong in their calculations, it cannot be supposed that several thousand petty dealers, who do not upon an average supply above twenty families, should be so ignorant of the trade which they have followed all their lives, as not to be able to calculate whether or not they could serve their customers until the harvest in October. If they were not satisfied that they could do so, or, what is the same thing, if a famine was to be expected before that period, rice would not now be sold at twelve seers the rupee.

Price of grain the surest test of the probability of a famine.

It is not easy to form any correct information respecting the state of the cattle, because a great proportion of them has, on account of the scarcity of forage, been driven to the hills and jungles, where they are under the charge of herdsmen and not of their owners. I do not, however, hear that any distemper has broken out among them. If they escape that calamity, they will hold out until May, when a supply of green forage may be looked for.

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REMOVAL OF IMPORT DUTIES ON GRAIN.

12th December, 1823.

Proposal to suspend all duties on transit of grain on account of scarcity.

THE failure of the periodical rains in most of the provinces under this Government, and more particularly in the Carnatic and the western districts, having already raised the price of grain in many places to double its usual rate, and there being reason to suppose that if the present month should pass without rain, it will still rise much higher, it appears advisable that Government should adopt such measures without delay as may be calculated to alleviate the evils of the scarcity which has already begun to be felt.

The interference of Government on such occasions as the present is often very prejudicial, and I know of no way in which it can be safe or useful unless in suspending all duties on grain, giving perfect freedom to its transit by sea and land, and securing the grain dealers from the violence of the people.

I therefore recommend that all duties be taken off for one year from this date on all grain imported from Bengal to any place under this Presidency, on all grain imported or exported from port to port, and on all grain imported by land to any place under this Government. The adoption of this measure will be attended with some loss of revenue, but it ought not to be put in competition with the great object of relieving the people, as far as may be practicable, from the distress inseparable from a scarcity of food.

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SUPPLY OF SALT AT REDUCED RATES TO VESSELS IMPORTING GRAIN.

23rd December, 1823.

Although it cannot yet be ascertained to what degree the scarcity may reach in consequence of the failure of the periodical rains in the present season, and although from the favourable harvest of last year there is reason to believe that there is grain in the Carnatic sufficient for the consumption of several months, yet it is advisable that measures should be taken for increasing the supply from other countries by every practicable means. The duties have already been taken off for this purpose, and as a further encouragement I would recommend that from this date until the 31st of December, 1824, all vessels which may import the principal part of their cargo in rice or other grain to Madras, or any place on the coast, and which may wish to carry salt to Bengal, should receive it at Rs. 18 per garce.

Supply of salt at reduced rates to vessels importing grain.

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PROPOSED BOUNTY ON IMPORTS OF RICE IN A TIME OF SCARCITY.

23rd January, 1824.

Proposal to give a bounty of thirty rupees a garce for the importation of rice to Madras from Bengal and the Malabar coast. Bounty preferable to a guaranteed price.

The season is now so far advanced, that every chance of such a fall of rain as could materially improve the state of the crops, is now at an end. The periodical rains have almost entirely failed in all the countries south of Ongole and below the Ghâts, and also, though not to so great a degree, in those above the Ghâts. We have no means of ascertaining in what proportion the usual produce of the country may have been diminished from this cause. Nor do I think that we can expect to gain any very accurate information upon the subject. On occasions like the present, all that can be done is to form some probable estimate of the extent of the deficiency. By considering the present market prices, the reports of the Collectors, and other circumstances, I am induced to think that the failure on the whole is not so great as it was in 1807: but that it is not so much less as to justify our neglecting any precaution which may tend to insure the importation of abundant supplies of grain from the Bengal and Malabar coast. The annual consumption of rice in Madras and its neighbourhood is from ten to twelve thousand garce. The greater part of this quantity formerly came from Bengal; but for the last four years the average importation by sea has only been about seven thousand garce annually, chiefly from Tanjore and the Northern Sirkárs, and a small portion only from Bengal. The importation by land has made up the deficiency in the supply by sea. The whole of the requisite supply has for many years come regularly without any direct encouragement on the part of Government; and I am convinced that the

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same thing would happen in the present year, and that the market might with perfect safety be left to itself, without any other guarantee for its ample supply than would be afforded by the scarcity price. Were the question one of mere profit, I should think our not interfering in any way the best course. But when the lives of a great population are at stake, we ought to adopt every measure which may be most likely to avert the approach of famine. Importation may be encouraged, either by a high guarantee price, or by a bounty. In 1807, the members of Government were equally divided on the preference to be given to these two modes, but decided finally in favour of the guarantee price. We have had the advantage of seeing the bad effects which attended the guarantee price; and as a bounty will, I am satisfied, cause a sufficient importation, without involving us in the difficulties of the management and custody of extensive stores of grain, without the means of securing them from fraud and depredation, and without bringing us into the market as grain dealers, I can have no hesitation in giving it the preference to the guarantee price.

Probable expense of the bounty to the Government.

The rate of bounty which I would propose, is thirty rupees per garce on all rice of the description of good cargo rice, which may be imported at Fort St. George from the territories subject to Bengal, or from Malabar and Canara, from the 10th of February to the 1st of June. The whole importation to that period will probably be from ten to fifteen thousand garce, and the expense to Government from three to four and a half lakhs of rupees. If the quantity should not exceed ten thousand garce, it will be unnecessary to continue the bounty after the 1st of June, as the ordinary monthly supplies which may be expected till October, will answer all the wants of the market.

Government must be careful not to overstock the market.

While we endeavour to procure an adequate supply for the present season, we must be careful that we do not, by holding out too much encouragement, overstock the market, as in 1807, so as materially to interfere with the sale of the produce of our own territories in the ensuing year, and thus to distress the ryots as much in the second year by the want of demand for their produce, as in the first by its failure.

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THE COMMERCIAL HABITS OF THE HINDUS.

(*Evidence before Select Committee of the House of Commons*, 13*th April*, 1812.

The commercial habits of the Hindus. Their probable effect upon the success of European traders in the interior of the country.

THE people of India are as much a nation of shopkeepers as we are ourselves. They never lose sight of the shop: they carry it into all their concerns, religious and civil. All their holy places and resorts for pilgrims are so many fairs for the sale of goods of all kinds. Religion and trade are in India sister arts: the one is seldom found in any large assembly without the society of the other. It is this trading disposition of the natives which induces me to think it impossible that any European traders can long remain in the interior of India, and that they must all sooner or later be driven to the coast. What the European trader eats and drinks in one month, would make a very decent mercantile profit for the Hindu for twelve. They do not, therefore, meet upon equal terms: it is like two persons purchasing in the same market, the one paying a high duty, the other none. The extra duty paid by the European is all the difference between his own mode of living and that of the Hindu. It is impossible, therefore, that he can long carry on the competition upon such an unequal footing. He may for a time, with a large capital, carry on some new manufacture, or improve some old one, such as indigo or sugar. The Hindu will wait till he sees the success which follows the undertaking: if it is likely to be successful and to be permanent, he will engage in it, and the European must quit the field. There can be no doubt, I think, that this cause will in time operate so as to force all Europeans to the sea coast; and I can have little doubt but that hereafter, when the Hindus come to correspond directly with the merchants

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in England, many of the agents now settled upon the coast will from the same cause, the superior economy and diligence of the Hindu, be obliged to leave India. I do not, however, think that because those merchants cannot maintain their ground in the interior, it is not necessary still to protect the natives from Europeans, by Government granting licenses; for this country is still populous enough, and full enough of adventurers, to furnish a few hundreds to go out every year to try their fortune in India.

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THE SMALL INFLUENCE WHICH CONTACT WITH EUROPEAN CUSTOMS PRODUCES UPON THE HINDUS.

(*Evidence before Select Committee of House of Commons, 15th April*, 1812.)

Prevalence of the foreign element in the population of Bombay. Its small influence upon the habits and life of the Hindus.

Bombay can hardly be called a Hindu community: it is a kind of modern Babel, inhabited by foreigners from all parts of the globe—Arabs, Greeks, Armenians, Parsees, and almost everything but Hindus. If among all the vessels belonging to the port of London, from two hundred tons and upwards, we should not find among all the owners the name of one Englishman, we should doubt whether London were an English city. Among the owners of the vessels belonging to the port of Bombay there is not the name of a single Hindu. We have Manají, and Surabjí, Artaxerxes, and Bruce, and Fawcett, —certainly not Hindu names. It is said that the Hindu there likewise conforms to the European modes of life, followed by Parsees and Europeans. It is possible that he may in some instances do so to accommodate his European visitors; but I can have no doubt that, after the ceremony of the visit is over, he retires from his lustre-hung hall to his Hindu family, in their own Hindu house, sprinkled with cow-dung and water. The influence of the society of Bombay upon the continent of India can have no more effect than that of the Island of Heligoland. Let any man take a boat at Bombay, and land upon the nearest point upon the coast—the Mahratta village of Panwell; he will find everything unchanged, everything Hindu. I am likewise convinced that the Hindu of Bombay, notwithstanding the fascination of the example of Artaxerxes, and Bruce, and Fawcett, is still a hardened Hindu. If he

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comes pure from the fire of such a trial, with what hope can we expect to corrupt the great mass of the population of the continent of India? If any person leaving Madras goes to the nearest Hindu village, not a mile into the country, he is as much removed from European manners and customs as if he were in the centre of Hindustan, and as if no European foot had ever touched the shores of India. In a former part of my evidence, in speaking of the Hindu women, I mentioned the custom of their bathing in public at European stations: this statement may perhaps leave an unfavourable impression of their demeanour, but there is no man who has been in India but must maintain that nothing can be more modest than their behaviour, and that they confide in it on all occasions for their protection from insult, and are seldom deceived. It would be no slight praise to the women of any nation, not even to the ladies of England, to have it said that the correctness of their conduct was not inferior to that of the Brahman women and the Hindu women of the higher classes.

Proximity of European manners and customs has but little effect upon the mass of the people in other parts of India.

Modesty and correct conduct of Hindu women of the higher classes.

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ON OPENING THE TRADE WITH INDIA TO THE OUTPORTS OF GREAT BRITAIN.

1st February, 1813.*

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The exports from England to India not likely to be much extended.

As to the exports,† it is not likely that they will ever, unless very slowly, be much extended; opposed by moral and physical obstacles, by religion, by civil institutions, by climate, and by the skill and ingenuity of the people of India. Some increase there will undoubtedly be, but such as will arise principally from the increase of European establishments, and of the mixed race which springs up in their chief settlements.

The native manufactures of India are cheaper and better suited to the inhabitants than those of Europe.

No nation will take from another what it can furnish cheaper and better itself. In India, almost every article which the inhabitants require, is made cheaper and better than in Europe. Among these are all cotton and silk manufactures, leather, paper, domestic utensils of brass and iron, and implements of agriculture. Their coarse woollens, though bad, will always keep their ground, from their superior cheapness: their finer camblets are warmer and more lasting than ours.

The ordinary mode of life of the Hindus extremely simple.

Glass-ware is in little request, except with a very few principal natives, and, among them, is confined to mirrors and lamps; and it is only such natives as are much connected with Europeans who purchase these articles. They keep them, not to gratify their own taste, but to display to their

* It has not been thought necessary to print the earlier paragraphs of this paper, which refer to the mode in which the question to which it relates, had been discussed between the Government and the Court of Directors.

† Exports from England to India are here referred to.

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European friends, when they receive their occasional visits: at all other times they are put out of the way as useless incumbrances. Their simple mode of living, dictated both by caste and climate, renders all our furniture and ornaments for the decoration of the house and the table utterly unserviceable to the Hindus: living in low mud houses, eating on the bare earth, they cannot require the various articles used among us. They have no tables; their houses are not furnished, except those of the rich, which have a small carpet, or a few mats and pillows. The Hindus eat alone, many from caste in the open air, others under sheds, and out of leaves of trees in preference to plates. But this is the picture, perhaps, of the unfortunate native reduced to poverty by European oppression under the Company's monopoly? No, it is equally that of the highest and richest Hindu in every part of India. It is that of the Minister of State. His dwelling is little better than a shed: the walls are naked, and the mud floor, for the sake of coolness, is every morning sprinkled with a mixture of water and cow-dung. He has no furniture in it. He distributes food to whoever wants it, but he gives no grand dinners to his friends. He throws aside his upper garment, and, with nothing but a cloth round his loins, he sits down half-naked, and eats his meal alone, upon the bare earth, and under the open sky.

Also of the Mahomedans

These simple habits are not peculiar to the Hindus. The Mahomedan also, with few exceptions among the higher classes, conforms to them.

The experience of the past holds out no prospect of great increase of exports.

If we reason from the past to the future, we can have no well-founded expectation of any considerable extension of our exports. If it were as easy as some suppose, to introduce the use of foreign articles, it would have been done long ago.

No amount of intercourse with other nations has hitherto increased the demands of the Hindus for foreign manufactures.

From the most distant ages of antiquity, there was a constant intercourse between India and the countries on the Persian Gulf and the Red Sea, without the introduction of foreign manufactures among the Hindus; and since the discovery of the Cape of Good Hope, there has been an extensive trade with the western nations of Europe, without any one of them being more successful than the ancients in prevailing upon the Hindus to change their customs, so far as to use their commodities in preference to their own. Neither the Portuguese, the Dutch, the French, nor the

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English, have in this respect effected any considerable change; but this will be imputed to the restraints imposed by the monopolies of trading companies. Let us impute to this cause all that we can: still we should expect that some progress would have been made in three centuries; that if all the natives could not purchase foreign articles, the rich would, and that the demand would be greatest at the chief seats of European trade, and lessen gradually towards the interior. But the inhabitants on the coast are as little changed as in the interior. The very domestics of Europeans adopt none of their customs, and use none of their commodities.

This is not due to the monopoly price.

The monopoly price, it will be said, has prevented their sale among the natives; but it is well known that European articles are often sold at prime cost. The monopoly might impede, but it would not completely hinder the sale. It ought to operate in India as in Europe. It does not prevent us in Europe from purchasing: it merely compels us to take fewer of the articles we want.

It is partly due to the superior skill of the Indian workmen, as well as to the customs and institutions and climate of India.

The monopoly of spices by the Dutch, and of piece goods by the English, has not prevented their sale in Europe. It has made them dearer, and made the consumers take less. Why should a monopoly of exports to India not follow the same course? Why should not the principal native merchants purchase of the Company, and retail to the country dealers? We must, therefore, look to some other cause than monopoly for the little progress that the demand for European commodities has made among the Hindus. Besides the peculiar customs and institutions and climate of India, we must look to the superior skill of the Indian workmen. We cannot profitably export to them, until our own fabrics excel theirs. When this is accomplished, no extraordinary skill will be required to extend the sale. The Indians will purchase, even though we should endeavour to prevent them, just as we in this country purchase the contraband things of India.

The prejudices of the natives do not constitute the chief obstacle.

But though there are unquestionably many obstacles to any considerable increase of our exports to India, the prejudices of the natives have not so much share in them as is usually supposed. Their prejudices extend only to intoxicating liquors and certain prohibited kinds of food: they do not reach to other things. Every article, as it comes from the

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hands of the workman, is pure. There is no prejudice against the cloth, though there may be some against the particular form of the garment. The grand obstacles to our exports are the inability of the Indians to purchase our commodities, and the cheapness and excellence of their own. It is obvious, therefore, that their demand for ours can only be enlarged, either by a general improvement in the condition of the natives of India, or by a reduction in the price of European articles. Coarse woollens are undoubtedly the article which would find the greatest sale, if they could be furnished at a moderate rate. Almost every native of India has a broad piece of coarse woollen, which he uses as a Highlander does his plaid. He sits on it, sleeps on it, and wraps it round him when he walks abroad in cold or rainy weather. Its texture—something like that of the camblet of our boat-cloaks—and its hairy surface, which throws off the rain, is better adapted for the purpose for which he wants it, than the European manufacture; and he would consequently, even if the prices of both were equal, still give it the preference. In seeking therefore to extend our exports, cheapness is not the only requisite: the tastes of the natives must also be studied. Some articles which we like plain, they like with the most gaudy colours, and *vice versâ*. Though simple in their diet and habitations, they are as fond as any people in the world of expense in their dress, their servants, and whatever they consider as show or luxury; and as far as their means go, they will purchase, for these objects, from foreign countries whatever their own will not produce. It is singular, however, that after our long intercourse with India, no new article of export has been discovered, nor the quantity of any old one materially augmented; but with regard to the imports the case is different. A new article, raw silk, has been introduced by the Company into Bengal, and imported largely into the country; and cotton and indigo, the old products of India, have only of late been brought in any great quantity to this country.

The exports will eventually increase, but it will be owing to the exertions of private traders rather than of the

Though the trade between Britain and India is not at all proportionate to the population and resources of the two countries, yet, when we consider the skill and industry of their respective inhabitants, the nature of man constantly searching for new enjoyments, and the invariable effect of commerce in exciting and supplying new wants, we cannot

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Company's servants.

refuse to admit that a change must at last be effected, however slow and imperceptible in its progress, when the mutual demands of the two countries for the products of each other will far exceed its present amount. Whether an increased export of European commodities is to arise from furnishing them cheaper, or of a fashion more suited to the Indian market, in either case the event is to be looked for rather from the exertions of private traders than of the Company's servants. Not that the Company's servants are deficient in knowledge or industry, but that they are not stimulated by the same deep interest; that they are few in number; and that it is contrary to every rational principle of calculation to suppose that, in so small a body, the same amount of talent shall be found as among the immense multitude of men trained in commercial habits, from which the merchants of Britain may select their Indian agents.

No serious danger of a large influx of Europeans into India.

The danger of colonization from the resort of European adventurers to India, is an objection entitled to very little weight. They could not by law become proprietors of land: they could not become manufacturers, as the superior skill and frugality of the natives would render all competition with them unavailing. They could find no profitable occupation, but as mechanics for making articles for the use of European residents, or as traders or agents; but the number employed in these ways would necessarily be limited by the extent of the trade, without a corresponding increase of which it could not be materially augmented. The Europeans who might go out to India in consequence of the opening of the trade, would be chiefly the agents of commercial and manufacturing houses in this country. But it is manifest that only so many as could be advantageously employed, would be kept in India. If it appeared on trial that more had been sent out, the excess would be recalled. If adventurers went to India to trade on their own account, their number also would necessarily be regulated by the extent of this trade, and those whom it could not employ, would be obliged to return. Few Europeans would go to India only with the view of returning ultimately to their own country. Those who remain would not colonize. Confined to trade, excluded by law from the possession of land, and unable to find employment as manufacturers, they could never rise into a flourishing colony. They would be kept

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down by the great industrious Indian population, and they would probably dwindle into a race little better than the mixed caste descended from the Portuguese. But supposing even an extreme case, that all the Europeans who could find employment in trade in India should settle there, and abandon for ever their native country, and that their number should in time amount to fifty thousand; yet even this number, unlikely as it is ever to be seen, would, if left to itself, be lost amongst a native population of forty millions. Its own preservation would depend on the stability of the British Government; and even if it were disposed to act in opposition to its own interest, it would be unable to disturb the authority of Government for a moment. The only way in which European colonists could be productive of mischief to India, would be from the increased number of adventurers, who, in spite of every precaution, would escape to the interior, to seek service among the native princes, and might, when they were fortunate enough to meet with an able one of warlike character, instigate him to invade the territory of his neighbours. But we are now subject to the same inconvenience by the desertion of European soldiers and settlers. It would unquestionably be augmented, but not to any alarming degree, by colonization.

The Americans have been free to trade with India, but have not done so.

The Americans were not checked in their enterprises by an exclusive Company. They had a free trade to India, and ought, according to the advocates of that system, to have undersold the Company, and filled all India with European goods. But the Americans have not done this, say the outports, only because they are not a manufacturing people, and because, as they carry on a profitable trade with Spanish America for bullion, they find it more convenient to export that article to India, in order to provide their cargoes there. But what is to hinder them, when they come to this country with the produce of their own, from sailing to India with a cargo of English manufactures? Nothing but the conviction that they could not be sold. Were it otherwise, no American, any more than a British merchant, would carry bullion where there was a market for goods, and content himself with a profit on one cargo, when he might have it on two. The Americans are a sober, industrious, persevering race, with all the skill and enterprise of our outport merchants, and all the attention to their interest of trade which

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forms so strong a contrast between the private trader and the agent of a joint-stock company; and with all these useful qualifications, every man who is not blinded by prejudices in favour of old establishments, will readily believe that the Americans, had they not unhappily quarrelled with this country, would in time have circulated our manufactures to every corner of India. On viewing, however, the process by which they were to arrive at this end, we perceive with surprise that, almost from the beginning, they have been going rather backward than forward. In the six years from 1802–3 to 1807–8, the proportion of goods to bullion in their exports was only about fifteen per cent.; in the three years from 1808–9 to 1810–11 it was not more than eight per cent.; and these goods were almost exclusively for the use of Europeans. The active American trader, therefore, has not been more successful than the agent of the Company in imparting to the natives a proper taste for British manufactures; and, indeed, there is but too much reason to fear that all the enterprise of the outport merchant will be equally fruitless, and that the natives will, in spite of reason and free trade, still persist in preferring their own fine stuffs to the dowlas of England.

Persia, Arabia, and the countries east of India do not want English commodities.

Persia and Arabia on the west, and the countries on the east of India, either have what they want within themselves, or they receive it cheaper from India than they can be supplied from Europe.

On the whole, there is no ground to look for any considerable increase in the demand for our manufactures by the natives of India, unless by very slow steps and at a very distant period; and it may be questioned whether the private traders would export so much as the Company are now bound to do.

The imports from India may be increased by shorter voyages and other means.

With respect to the imports from India, the quantity is expected to be increased, and the price diminished, by shorter voyages and other causes. Most of the articles now imported India is capable of supplying to any extent; and every measure by which the demand can be enlarged and the supply facilitated, of those commodities which do not interfere with our own manufacture, promotes the national prosperity.

Indian piece goods have fallen in

Piece goods, the great Indian staple, have fallen in demand, in consequence of the improvement of the cotton fabrics of

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this country, and are likely to fall still lower. As they cannot rise without interfering with our own manufactures, all that is necessary is to supply ourselves the demand which still remains, without the aid of foreigners. Cotton is grown in abundance in most parts of India; but while it sells at only half the price of that from America, it can be brought with advantage to England only when the trade with America is interrupted.

demand in India.

The importation of cotton from India might be increased by improvements in the culture and mode of clearing.

The importation, however, might, it is supposed, be greatly increased by more attention to clearing the cotton in India, where labour is so cheap; by cultivating, from among the various kinds which are indigenous to the soil, that which is best adapted to our manufactures; or by introducing the culture of foreign cotton, such as that of America or Bourbon. In the north of India the fields of cotton are artificially watered; in the south they are left to the rain and dews of heaven. In the north, therefore, the Bourbon and American cotton, both of which require much moisture, would be most likely to succeed.

Such improvements should be encouraged by the English manufacturer.

For encouraging the culture of the best kind of Indian cotton, and clearing and preparing it for the home market, and for promoting the growth of foreign cotton in India, no person is so well qualified as the manufacturer of this country; for he who has such a large capital in expensive buildings and machinery, has a much deeper interest in securing a durable supply of good cotton than the merchant, who can with much less inconvenience divert his capital from one object to another.

Importation of Bengal raw silk may be greatly increased.

Bengal raw silk has been for some years imported to the amount of about £600,000 per annum, and may be increased to any extent, if protected by duties against the French and Italian.

Importation of indigo.

Indigo is now imported, equal at least to the demand of all Europe.

Of sugar.

Sugar, by a reduction of the existing duties, might be brought home to any extent; but would prove highly detrimental to the West India planters.

Importation of pepper and drugs already equa to the demand.

Pepper and drugs have long been supplied equal to the demand, which cannot admit of any considerable increase, as the consumption of these articles must, from their very nature, be at all times extremely limited.

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These are the chief articles of Indian produce which find a sale in the European market. Of some the consumption can never be much increased, and of others it cannot be augmented without injury to our home manufactures and West India colonies. All of them, with the exception of sugar and cottons, require very little tonnage; and the expected increase of shipping must consequently prove delusive, until we can either undersell the American cotton, or consent to bring the Indian into competition with the West India sugar.

Benefits which have resulted from the Company's monopoly.

The same outcry is still kept up against the Company's monopoly, as if it still existed in all its former strictness, and were not, in fact, nearly done away. That monopoly, however, even in its most rigid state, has been the source of many great national advantages. It enabled the Company to expend annually £64,000 in the purchase of Cornwall tin, which they exported without any profit, and often with a loss; it enabled them to expend £80,000 for the encouragement of the indigo manufacture, and to support the traders in that article during their difficulties, by an advance of nearly a million sterling; it enabled them to persevere in the preparation of raw silk, though they lost on their sale of that article from 1776 to 1785 to the amount of £884,000; and it enabled them to acquire the extensive dominions now under the British Government in India. These territories never could have been acquired, had there not existed a Company possessing the exclusive trade, directing their undivided attention constantly to India, and employing their funds in extending their dominions. The whole of the merchants of Britain, trading separately, could neither have undertaken nor accomplished so magnificent an enterprise.

Objections to throwing open the trade to the outports.

The Company are willing that the trade should be thrown open to the port of London; but this, it is asserted, will not afford a wide enough range for the skill and enterprise of British merchants. But are these qualities monopolized by the outports? Have not the London merchants their full share, and have they not capital sufficient to carry on all the Indian trade which the most visionary theorist can look for? If freedom of trade is claimed on the ground of right, and not of expediency, every port in the kingdom ought to enjoy it; for they have all the same right abstractedly. But unfortunately it is necessary to withhold the benefit from them, be-

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cause the warehouse system and custom houses are not yet sufficiently spread along our coasts; or, in other words, because a great increase of smuggling would undoubtedly ensue. The East India Company are attacked from all quarters, as if they, alone in this kingdom, possessed exclusive privileges. But monopoly pervades all our institutions. All corporations are inimical to the natural rights of British subjects. The corn laws favour the landed interest at the expense of the public. The laws against the export of wool, and many others, are of the same nature; and likewise those by which West India commodities are protected, and enhanced in price. It would be better for the community that the West India planter should be permitted to export his produce direct to all countries, and that the duties on East India sugar, etc., should be lowered. When the petitioners against the Company complain that half the globe is shut against their skill and enterprise, and that they are debarred from passing the Cape of Good Hope and Cape Horn, and rushing into the seas beyond them, with their vessels deeply laden with British merchandise, they seem not to know that they may do so now; that all private traders may sail to the western coast of America, to the eastern coast of Africa, and to the Red Sea; and that India, China, and the intervening tract only are shut. Some advantage would undoubtedly accrue to the outports by the opening of the trade. But the question is, would this advantage compensate to the nation for the injury which the numerous establishments in the metropolis connected with India would sustain, and the risk of loss on the Company's sales, and of their trade by smuggling?

Loss of the China trade would subvert the system by which India is governed.

The loss of the China trade would subvert the system by which India is governed: another equally good might possibly be found; but no wise statesman would overthrow that which experience has shown to be well adapted to its object, in the vain hope of instantly discovering another.

Experiment of opening the trade to the port of London should be tried before the privilege is extended to other places.

It yet remains doubtful whether or not the trade can be greatly increased; and as it will not be denied that London has both capital and mercantile knowledge in abundance to make the trial on the greatest scale, the danger to be apprehended from all sudden innovations ought to induce us to proceed with caution, and rest satisfied for the present with opening the trade to the port of London. Let the experiment

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be made; and if it should hereafter appear that London is unable to embrace the increasing trade, the privilege may then, on better grounds, and with less danger, be extended to other places. If Government cannot clearly establish that no material increase of smuggling, and no loss on the Company's sales, and consequent derangement of their affairs, would ensue from allowing the outports to import direct from India, they should consider that they are risking great certain benefits for a small contingent advantage.

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IMPORTANCE OF A REVENUE EXPERIENCE TO ALL CIVIL SERVANTS.

29th July, 1820.

The Court of Directors has, in its letter of the 1st March, 1820, proposed certain rules for our guidance in the selection of persons to fill the offices of Provincial and Zillah Judges, and of Secretaries to Government and the Board of Revenue, and of Members of that Board, and of Registrar and Members of the Sadr Adálat. The Court has desired us to take this subject into our particular consideration, and to furnish it with our sentiments thereupon.

Letter from Court of Directors regarding certain appointments.

The reasons which render it desirable that the offices in question should, as far as may be practicable, be filled with men possessing a considerable share of revenue experience, acquired in the provinces, are so fully explained in the Honourable Court's letter to Bengal of the 19th April, 1819, that it is not easy to add anything to them; and it therefore appears to me that all that remains for us to do, is to endeavour, without delay, to carry into effect the intentions of the Honourable Court, to as great an extent as may be found possible in the present state of the service. It is obvious, however, from the great want of regularly trained revenue servants, that we must proceed gradually, and that many years must elapse before full operation can be given to the plan. Until within the last twenty or thirty years, we had little territory in our own hands, and consequently hardly any means of forming revenue servants. We have been more fortunate than could have been expected under such disadvantages; for most of the principal offices at the Presidency have generally been filled by a succession of able servants,

Expediency of appointing to the offices in question men possessing revenue experience.

This rule can only be introduced gradually.

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and some of the most distinguished of them have been men who never were employed, or only for a very short time, anywhere else but at the seat of Government. Such men, however, would undoubtedly have been much fitter for their stations if they had served some years in the revenue line in the provinces.

The revenue line presents greater facilities than any other for free intercourse with the natives.

We have now in our widely extended territory an ample field for the training of the junior servants in revenue affairs, and we ought to avail ourselves of it for that purpose. A knowledge of revenue will be useful in whatever department they may be afterwards employed; but a knowledge of the natives is still more essential, and this knowledge is only to be acquired by an early and free intercourse with them, for which the revenue presents infinitely more facilities than any other line.

Superiority in this respect of the revenue line over the judicial line.

It ought to be our aim to give to the younger servants the best opinion of the natives, in order that they may be the better qualified to govern them hereafter. We can never be qualified to govern men against whom we are prejudiced. If we entertain a prejudice at all, it ought rather to be in their favour than against them. We ought to know their character, but especially the favourable side of it; for if we know only the unfavourable, it will beget contempt and harshness on the one part and discontent on the other. The custom of appointing young men, as soon as they leave college, to be Registrars to Zillah Courts is calculated rather to produce than to obviate this evil. The most likely way of preventing it, and of fulfilling the desire of the Court of Directors to improve the efficiency of the civil service, would be to make every civil servant begin his career in the revenue line. The slightest reflection may satisfy us that it is much more probable that he will become a useful public servant by beginning in the revenue than in the judicial department.

Disadvantages of beginning in the judicial line.

There are some men who overcome all difficulties, and become valuable public officers, in whatever line they are placed, and whatever may have been that in which they were first employed; but in making rules we must look to men such as they generally are. When a young man is transferred from college to the office of Zillah Registrar, he finds himself all at once invested with judicial functions. He learns forms before he learns things. He becomes full of the respect due

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to the Court, but knows nothing of the people. He is placed too high above them to have any general intercourse with them. He has little opportunity of seeing them except in court. He sees only the worst part of them, and under the worst shapes. He sees them as plaintiff and defendant, exasperated against each other, or as criminals; and the unfavourable opinion with which he too often at first enters among them, in place of being removed by experience, is every day strengthened and increased. He acquires, it is true, habits of cautious examination, and of precision and regularity; but they are limited to a particular object, and are frequently attended with dilatoriness, too little regard for the value of time, and an inaptitude for general affairs, which require a man to pass readily from one subject to another.

Ample means of acquiring a knowledge of the people in the revenue line.

In the revenue line he has an almost boundless field, from whence he may draw at pleasure his knowledge of the people. As he has it in his power at some time or other to show kindness to them all in settling their differences, in occasional indulgence in their rents, in facilitating the performance of their ceremonies, and many other ways; and as he sees them without official form or restraint, they come to him freely, not only on the public, but often on their private concerns. His communications with them are not limited to one object, but extend to everything connected with the welfare of the country. He sees them engaged in the pursuits of trade and agriculture, and promoting by their labours the increase of its resources,—the object to which his own are directed. He sees that among them there is, as in other nations, a mixture of good and bad; that, though many are selfish, many likewise, especially among the agricultural class, are liberal and friendly to their poorer neighbours; and he gradually learns to take an interest in their welfare, which adheres to him in every future situation.

The sort of knowledge which is required in the revenue line, most useful to a Judge.

If a young man be sent at once from college to the revenue line, the usual effect will be to render him attached to the natives; if to the judicial, to increase the dislike towards them with which he too often sets out. The main object, therefore, in beginning with the revenue, is not to teach him to collect the kists, which is a very secondary consideration, but to afford him an opportunity of gaining a knowledge of the inhabitants and their usages, which is indispensable to

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the due discharge of his duty in the judicial, as well as in the revenue line. An acquaintance with the customs of the inhabitants, but particularly of the ryots, the various tenures under which they hold their lands, the agreements usual among them regarding cultivation, and between them and soukárs respecting loans or advances for their rents, and the different modes of assessment, is essential to a Judge; for questions concerning these points form the chief part of his business. A Judge who is ignorant of them, must often be at a loss on the most simple points; but as a knowledge of them can hardly be attained excepting in the revenue, it may be said that no man can be a good Judge who has not served in it. If this kind of knowledge be indispensable in a Zillah Judge, it is equally so in the Judges of the higher courts and the Secretaries to Government. It is on the right administration of the revenue that the prosperity of the country chiefly depends. If it be too heavy, or very unequally distributed, the effects are felt in every department. Trade is depressed as well as agriculture. Numbers of the lower orders of the people are driven by necessity to seek a subsistence in theft and robbery. The better sort become dissatisfied, and give no help in checking the disorder. The roads become unsafe and the prisons crowded; and we impute to the depravity of the people the mischief which has probably been occasioned by injudicious taxation, or the hasty abolition or resumption of long established rights and privileges. It is of importance that the higher officers of Government should always be able to trace the good or bad state of the country to its true cause, and that, with this view, they should in the early part of their service be employed in the revenue line in the provinces, because it is only there that they can completely see and understand its internal structure and administration.

Prosperity of the country greatly dependent upon the revenue administration.

Not essential that a Collector should have previously served in the judicial line.

As the business of a Judge is much facilitated by his having previously served in the revenue line, so is that of a Collector by his having served in the judicial; but not in the same degree, because he may become tolerably well acquainted with judicial proceedings in the practice of his own duties, in the settlement of boundary and other disputes respecting the occupation of land. In framing, therefore, the few rules for giving effect to the instructions of the Court of Directors which I now submit to the Board, I have not thought it

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necessary to require that a Collector should previously have been employed in the judicial line. It might at first sight seem to be desirable that a Collector should before have served as a Registrar, and that the civil servants, in rising in the judicial and revenue lines indiscriminately, and in passing from one to the other, should proceed regularly through every gradation in each; but this would be extremely embarrassing and injurious to the service, and would, in fact, be discovered on trial to be nearly impracticable. The convenience of the service does not always enable us to make interchanges, when servants are ready to be transferred from one branch to the other; but we can always secure a few years of revenue instruction by sending all servants to that line at first. We have then the advantage of the early and first impression, and two years is of more value then, than double the number would be at any after period. After serving two years as an Assistant Collector, he may either be transferred to the judicial or any other line, or remain in the revenue, and the matter might be determined either by his own option or the exigency of the service. In rising afterwards to the highest offices, it will not be necessary that he should pass regularly through every subordinate one, or that he should serve longer in any of them than such a time as may enable him, with tolerable application, to acquire a practical knowledge of its duties. It may be thought that two years is too short a time for any person to learn much of revenue, but as he may remain in that line as much longer as he pleases, though he cannot be less than two years, there can be little doubt but that a large portion of the junior servants will remain in it; that many of those who leave it on the expiration of the two years, will have imbibed a partiality for it, and seek to return to it; and that we shall thus always have a sufficient number of servants possessing such a knowledge of revenue as to qualify them to fulfil efficiently any office whatever.

Young civil servants should be sent directly from the college to the provinces.

The rule of sending all young men directly from the college to the provinces will in future prevent them from thinking of establishing themselves at the Presidency, and will prove beneficial both to them and the public; but as it might be attended with inconvenience to those who have been fixed here since 1816, were they to be removed, and more particularly as some of them owed their detention to their

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superior merits having fitted them to fill situations of greater emolument than they could have obtained in the provinces, I would recommend that, in order to prevent their suffering by the operation of a new arrangement, they should be permitted to have the option of remaining at the Presidency or going into the provinces.

Regulations proposed for carrying out the above objects.

Every civil servant, on his quitting college, shall be sent to the provinces, and employed for at least two years in the Revenue Department as an Assistant Collector.

Every civil servant, after serving two or more years as an Assistant Collector, shall either be continued in the revenue, or be transferred to any other department of the service.

No person shall be appointed Chief Secretary, or Secretary in the Revenue and Judicial Department to Government, or Secretary to the Board of Revenue, or Registrar to the Sadr Adálat, who shall not have served four years in the provinces.

No person shall be appointed a Collector of a province who shall not have served four years in the provinces.

No person shall be appointed a Zillah Judge who shall not have served four years in the Revenue and Judicial Departments.

No person shall be appointed a Provincial Judge who shall not have served one year as a Zillah Judge or a Collector of a province.

No person shall be appointed a Member of the Board of Revenue who shall not have served two years as the Collector of a province.

No person shall be appointed a Member of the court of Sadr Adálat who shall not have served two years as a Zillah or Provincial Judge, or as a Collector of a province, such Collector having also served two years in the Judicial Department.

These rules are applicable, in all their extent, only to the junior part of the service, and to those persons who may hereafter enter it. They could not, without injury both to individuals and to the public, be strictly applied to those who have already made considerable progress in the service without passing through the requisite gradations. But though they cannot in such cases be rigidly adhered to, they will still, however, even in these cases, be carried into effect as far as circumstances may render it practicable.

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ON THE SAME SUBJECT.

5th April, 1825.

The Honourable Court of Directors having, in their letter of the 8th September, 1824, considered the rules adopted by the Board in 1820, for sending all students on leaving college into the provinces, and for making eligibility to certain offices depend on a certain term of previous service in other offices, as too restrictive and absolute, I am desirous that they should be modified in such a manner as may be satisfactory to the Honourable Court.

Regulations proposed in the preceding Minute deemed by the Court of Directors too restrictive.

In speaking of the first rule, which requires that every civil servant after leaving college shall be sent to the provinces, and be employed for at least two years in the Revenue Department, the Honourable Court doubt the propriety of making it so comprehensive, 'as there are many offices, and even 'whole departments of the service, wholly unconnected with 'the revenue line, and cases must frequently occur in which 'it would manifestly be useless to the public, and incon'venient to the individual, to send a writer into the provinces 'as a Collector's Assistant for two years;' as 'persons may 'occasionally be found eminently qualified for other offices, 'who in the revenue never render themselves useful;' and they therefore think that the Board 'should not have 'adopted this resolution as a law to be acted on peremptorily 'and universally, but rather as a general principle to be 'observed on ordinary occasions.' I know of no department in which the rule may not be useful. We have only three great departments spread over the country, namely, the Judicial, the Revenue, and the Commercial: and at the Presidency we have the Department of Accounts under the

Observations of the Court.

No department in which the rule requiring previous service in the revenue line, will not be useful.

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Accountant-general; but the Honourable Court have already in their letter of the 1st March, 1820, declared a practical knowledge of revenue to be an essential qualification for most of the higher offices at the Presidency, and for all the higher offices in the Judicial Department. The civil servants in the Commercial and Account Departments are so very few, as to make it of very little importance whether they are placed under any separate rule or not; but even to them a short service in the revenue line will not be without advantage.

Its usefulness in the Commercial Department.

If the young civil servant be destined for the Commercial Department, there are many things, a knowledge of which is necessary for the proper discharge of its duties, and which can more easily be obtained under a Collector than anywhere else—the prices and produce of the raw materials of the country, the number and condition of the weavers, the taxes to which they are subject, and the manner in which they are collected; for it is, in fact, by the same knowledge of details by which rent is realized, that cloth also must in general be recovered without loss from the weaver.

In the Department of Accounts.

If this young civil servant be destined for the Department of Accounts, it is still advisable that he should begin in the revenue line in the provinces, because he will there become accustomed to accounts, and have an opportunity of seeing them in every form, as well or perhaps better than he could have had at the Presidency; and he will, at the expiration of his two years, join the Department of Accounts with as much knowledge of accounts, and probably with greater habits of application, than if he had never gone up the country.

Officers liable to be transferred from one department to another.

We must also take into consideration the different results which will almost in every case follow, when an officer, leaving the Department of Accounts for a revenue or judicial office in the provinces, has previously served in the provinces, or has never been there. We can never be sure that such a change will not happen from various causes. He may dislike the duties of the department; he may see little chance of promotion, or he may not be qualified for the head of it, and Government may in consequence wish to transfer him to another line. If he has passed the first years of his service in the revenue in the provinces, and is sent back to that line, he will return with pleasure to the provinces, and will resume with facility his duties in that branch of the service. If,

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instead of the revenue, he is transferred to the judicial branch, he will, from his early habits of life in the provinces and acquaintance with the people, acquire a taste for its duties.

No young civil servant should begin in the judicial line.

For whatever branch of the service the young civil servant may be finally destined, his first beginning ought never to be in the judicial. It is worse calculated than any other to form him for general employment. It is too apt, by confining his duties to the litigious and criminal portion of the community, to give him an unfavourable impression of the whole body, of which he can seldom divest himself afterwards. It has a tendency, from the fixed and regular forms observed in its proceedings, and the implicit obedience yielded to its decrees, to make him unconciliatory, indiscreet, and arbitrary, when transferred to an office, in the conduct of which he is in a great measure freed from the restraint of these rules, and is to be guided chiefly by discretion.

Early employment of civil servants in the provinces advantageous to them in other respects.

Among the advantages of sending the young civil servant into the provinces as early as possible, are its often saving him from being involved in debt by the expensive habits of the Presidency, and its shortening the term of his continuance at college and expediting his entrance upon the public service, by his having more leisure and making more rapid progress in learning the native languages in the provinces than at Madras. These considerations, even were there no other, ought to induce us to persevere in sending every civil servant into the provinces for two years, unless in some case, which can rarely occur, where it may appear to be inexpedient.

Revised rules proposed with reference to the observations of the Court of Directors.

The Honourable Court disapprove of the rules excluding 'from certain offices all persons who have not been employed 'a specified number of years in certain other offices,' and they observe that 'the constant demand for experienced officers 'will generally insure a supply commensurate with the wants 'of the service, and the selection of fit persons for filling up 'vacant places should be left to the discretional responsibility 'of the Government.' If Government did always call for men properly qualified, the supply would no doubt keep pace with the demand: if it were too much restricted in its selection, it would be hurtful to the public service. But it should not, however, be altogether without rule. The adoption of some general rule is useful, not only in guiding its choice, but in

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stimulating the civil servants to acquire the requisite qualifications. When Government is guided merely by discretion, it is apt to relax and to be satisfied with a lower scale of qualification than ought to be required. It will perhaps be sufficient for every useful purpose to abolish the existing rules as too restrictive, and to adopt the more general instructions of the Honourable Court respecting the qualifications of certain offices as the standard by which Government will make the selection for vacancies. I therefore propose that in place of the existing rules the following be now substituted:

1st. Every civil servant, on his quitting college, shall be sent to the provinces and employed for at least two years in the Revenue Department as an Assistant Collector.

2nd. The time which a civil servant, while belonging to the college, may have resided in the provinces for the prosecution of his studies, may, to the extent of one year, be reckoned as part of the prescribed two years.

3rd. In special cases, where the sending a civil servant, on his leaving college, into the provinces, to be employed in the revenue line, would manifestly be detrimental to the public service or to the individual, Government will exercise its discretion in disposing of him otherwise.

4th. As far as the state of the service will admit of it, Government will select such persons as shall have acquired a practical knowledge of revenue in the provinces, to officiate as Judges of the Sadr Adálat and of the Provincial and Zillah Courts, to fill the office of Chief Secretary and of Secretary to Government in the Judicial and Revenue Departments, of Registrar to the Sadr Adálat, and of Secretary to the Board of Revenue; and will select, to fill vacancies in the Board of Revenue, persons who have served as Collectors in the provinces.

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EQUALIZATION OF THE EMOLUMENTS OF THE REVENUE AND JUDICIAL DEPARTMENTS.

22nd January, 1821.

Necessity for equalizing as far as possible the emoluments in the revenue and judicial lines.

The Honourable the Court of Directors have expressed their wish that the higher offices at the presidency should in future be filled with men who have acquired a competent knowledge of revenue in the provinces. It is evident, however, that this important object can only be obtained by equalizing more nearly the advantages of the revenue and judicial lines, so as to make it desirable for those who have acquired experience in the revenue to continue in that line. Almost every hope of improvement in the Revenue Department was precluded by the arrangements made at the time of the permanent settlement, by which the Collectors were, with regard to rank and allowances, placed so far below the Judges. The effects of these arrangements, had they been completed, would have been to have placed the comparative advantages of the two lines in nearly the following proportions—

Effect of the arrangements made at the time of the permanent settlement.

	Pagodas.
In the provinces twenty Collectors, at 400 pagodas each per month, or with extra items about 5000 pagodas per annum	100,000
Twenty Zillah Judges each „ 800 „ „	160,000
Twelve provincial Judges from 10,000 to 12,000 pagodas each, or average 11,000 pagodas per annum	132,000

It is obvious that where the disparity was so great, every person would leave the inferior line whenever he could. Fortunately for the Revenue Department, the permanent system was not carried through. A gradual change for the better has for some years been making in the condition of the revenue servants; but the difference between them and

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judicial servants is still too great, as may be seen from the following abstract:—

Present emoluments of the revenue and judicial services. Result on the revenue service.

REVENUE:—Twenty Collectors who received in the year 1819-20 allowances varying from 20,009 rupees to 35,851 rupees	
Total rupees	578,690
JUDICIAL:—Twenty Zillah Judges at a fixed salary of 28,000 rupees each	560,000
Twelve provincial Judges from 35,000 to 42,000 rupees each	132,000
Total judicial rupees ...	692,000

While not only the number of appointments, but the rate of allowances attached to them, is so greatly in favour of the judicial branch of the service, every person who has any talent or interest, will seek to get into it. The Collector will be anxious to leave his own line. The revenue branch will be regarded, not as a permanent object, but as a passage to a better. It is proper that the respectability and independence of the judicial branch should be maintained, and that its salaries should be higher than those of the revenue, but not in too great a degree. When the difference of salary is moderate, both may be equally respectable; when it is great, the inferior loses not only in emolument, but, in the estimation of the natives, in character also. To give to the revenue line that weight which it ought to have in the eyes of the natives, and to make it worth the while of able and experienced men to remain in it, we must bring the two departments nearer to a level, not so much by reducing the judicial as by raising the revenue allowances, and appointing a certain number of Principal and Sub-Collectors. This might be done, without any additional expense, by abolishing, as they fell vacant, some of the Zillah Courts in which there was least business, and applying the saving resulting from this measure to the payment of the Principal and Sub-Collectors.

Remedy required.

Modes in which a remedy might be applied.

There are two modes in which an arrangement of this kind might be carried into effect. The first is by reducing at once a certain number of Zillah Judges and Collectors, enlarging the zillahs, and placing in each one Zillah Judge and one Principal Collector, with one or more Sub-Collectors. The second is, by reducing the number of Zillah Courts as vacancies occur, leaving the number of Collectors as at present, but making by degrees the Collectors of the more important

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districts Principal Collectors with one Sub-Collector to each. Were it practicable, without injury to the public and to individuals, I would prefer the immediate reduction of a portion of the Zillah Courts, the enlargement of the zillahs, and the appointment of a certain number of Principal Collectors; but this would throw many civil servants out of employment, without producing any adequate advantage. By reducing the zillahs to one-half of their present number, and placing a Zillah Judge and Principal Collector in each, there would be an appearance of regularity and arrangement and of a comprehensive system; but there would be nothing real but confusion, because we have not yet a sufficient number of men capable of managing such extensive Collectorates as this plan would require.

Enlargement of the Collectorates inexpedient.

The system which existed in some of the provinces under this Presidency before the introduction of the Zillah Courts, is, I think, the best calculated for their good management. Under this system the Principal Collector, with the aid of Sub-Collectors and of an assistant as Registrar, had charge of the jail and committed for trial by the Judge of Circuit. Were this system reverted to, the Zillah Judge would be confined to civil jurisdiction, and the Principal Collector would exercise the powers of criminal Judge. However desirable the adoption of such a system may be, we are not yet prepared for it. The village leases are drawing to a close: ryotwári settlements may be again resumed. Many of our Collectors never made a settlement, either village or ryotwári. They were appointed to office after the village leases of their districts were made, and have merely been employed in collecting the rents. Were we to make such men Principal Collectors in districts augmented greatly beyond their present size, with full magisterial powers and the charge of the jail, we should impose a duty upon them to which they are utterly unequal. We should, in appearance, introduce a system simple and uniform; but we should in reality throw most of our districts into inextricable disorder. Before such a system can be safely and generally adopted, we must have Collectors of more revenue experience, and we must greatly abridge and simplify the magisterial duties which would devolve upon the Principal Collector.

The plan which I propose to adopt at present, is to abolish

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Gradual reduction of the number of Zillah Courts and appointment of Sub-Collectors in some of the larger districts, raising at the same time the salaries of the Principal Collectors in such districts, the most advisable arrangement.

some of the Zillah Courts which have least business, whenever they fall vacant, and to appoint at the same time, and in the same gradual manner, a Principal and Sub-Collector to some of the largest and best-regulated Collectorates; to raise the salary of the Principal Collector, so as to place him nearly on an equality with the Third Provincial Judge in some Collectorates, and with the Second Provincial Judge in others. The advantages which may be expected to result from these measures, when connected with the resolution of the Board, by which all the junior servants must serve at least two years in the Revenue Department in the provinces, are that we shall have a regular gradation of provincial revenue servants, namely, Assistant Collector, Sub-Collector, and Collector or Principal Collector; that we shall not have to bring men from other departments, totally unacquainted with revenue, to act as Collectors; that we shall among the Sub-Collectors always find men prepared by practice to discharge creditably the duties of Collector or Principal Collector; and that as the Principal Collectors will have no inducement, as now, to quit their own line for the judicial, we shall have the benefit of their services being continued where they are most useful to the public. It may be objected to the proposed measure, that the enlargement of the zillahs will throw too much business upon the Zillah Judge, and will cause considerable inconvenience to parties and witnesses by increasing the distance of the court from their homes. But in answer to this it may be said, that the distance will not be more than it is at present in several of the more extensive zillahs; that the business will not be more than it now is in the more populous zillahs; that the civil business is every day diminishing, and will still be greatly diminished, by extending the jurisdiction of the district munsifs, by which more time will be left for attending to the despatch of criminal business, and that the proceedings of the Circuit Judges will be much facilitated by having fewer stations to visit.

Definite proposals for commencing this arrangement.

The office of Zillah Judge of Vizagapatam is now vacant: the court at that place may be abolished, and Vizagapatam and Ganjam formed into one zillah with its court at Chicacole, which is a central and convenient station. Tanjore and Coimbatore should be made principal Collectorates, with one Sub-Collector in each. I select these two districts, because

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Tanjore, from its wealth, population, and revenue, is one of our most important districts, and Coimbatore one of those in which the ryotwári system is best understood and conducted, and because both are districts in which we have every reason to believe that Sub-Collectors will be well trained.

I reckon that the saving arising from the abolition of the Zillah Court will nearly defray the expense to be incurred by the appointment of two Principal and two Sub-Collectors.

Additional charge nearly met by reduction.

Though the saving in one department, and the expenditure in the other, have no necessary connection with each other, yet it is satisfactory to find that the additional charge can be met by a corresponding reduction; but, even if the case had been otherwise, I should have thought it advisable to carry both measures into effect. I should have regarded as an idle waste of public money the keeping up of a Court, when the reduction of its business enabled us to do away with it without the smallest inconvenience to the country, and I should have proposed the appointment of Principal Collectors as a measure indispensable to the future security of the revenue, even if there had been no saving in the Judicial Department to cover the charge. I regard the saving in the judicial branch as permanent, but the additional expense in the revenue as temporary only; for it will gradually be made up from improvements in the administration of that department, in consequence of its falling into more experienced hands. Nothing is so expensive as inexperienced Collectors. Much more than the amount of their allowances is lost every year in revenue from their mismanagement, and when the affairs of their districts have in consequence fallen into disorder, we are obliged to submit to the additional expense of a commission to inquire into the causes of it. We must, under every system, always expect to have some bad servants, but when the system itself is bad, we can expect to have but few that are good.

Financial result satisfactory; but had it been otherwise, the measure would have been expedient. Costliness to the State of inexperienced Collectors.

We should form a very erroneous judgment of the important influence of the office of Collector, if we suppose that it was limited merely to revenue matters, instead of extending to everything affecting the welfare of the people. In India, whoever regulates the assessment of the land-rent, holds in his hand the mainspring of the peace of the country. An equal and moderate assessment has more effect in preventing litigation and crimes, than all our civil and criminal regulations.

Influence of a Collector not confined to revenue matters.

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When the lands are accurately surveyed and registered, the numerous suits which occur where this is not the case, regarding their boundaries and possession, are prevented, and when the assessment is moderate, every man finds employment, and the thefts and robberies which are committed, in consequence of the want of it and of other means of subsistence, almost entirely cease. When the people are contented, those incorrigible offenders who live as banditti and make robbery a trade, find no protection or encouragement, and are all gradually taken or expelled from the country.

Litigation diminished by equitable revenue settlements.

If we employ inexperienced Collectors, if our assessment is not only unequal but in many places excessive, if we have no correct detailed accounts of the lands, litigation will increase every day, and all our courts will be inadequate to the adjustment of them. Nothing can so effectually lighten and diminish the business of the courts as a good settlement of the revenue.

Measures to be taken for providing efficient Collectors.

I do not expect that the measure now proposed will occasion any rapid improvement in our revenue administration; but I am confident that it will ultimately produce all the advantage which we can reasonably expect. Some of our Collectors understand their business, but others know very little of it. When Assistants are placed under such men, they learn nothing: they follow the steps of their superiors, and it is only in the case of extraordinary talents that any improvement can be looked for under such disadvantages. In districts, therefore, where a bad system has long descended from one set of inefficient men to another, we must not hope to train up able Collectors. This can be done only in districts where a good system now exists. We ought, therefore, to send a large proportion of Assistants to such districts; but as it will be many years before any considerable number of these Assistants can become properly qualified to take charge of districts, it will be a long time before good Collectors can be found for all those districts in which they are now wanted. When this is done, but not before, the Collectorates may be enlarged, if it should be deemed expedient for the sake of economy. If we were to enlarge them before we had Collectors qualified to manage them, we should, instead of effecting a saving, incur additional expense, by the loss which would be occasioned by their incapacity. Though I am therefore averse to

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any enlargement of the Collectorates in general, I do not mean that we should carry this principle so far as to be precluded from incorporating one or two of the smaller Collectorates with the adjacent ones, when it may be found convenient.

Duties of the Sub-Collectors.

It is not necessary to lay down any specific rules for the office of Sub-Collector, as its duties are sufficiently known. The Sub-Collector performs in his own district all the duties of Collector, under the orders of the Principal Collector. The revenue of his district should be from four to eight lakhs of rupees according to the nature of the country, more where rich and populous, and less where poor and thinly inhabited. Five or six lakhs of rupees will in general be the best standard. It ought not to be too high, because by giving him too much employment he would not have leisure to learn sufficiently all the village details of revenue which are so essential. It is by placing him in a district of moderate extent, and relieving him from all correspondence, except with the Principal Collector, that he has ample time to make himself acquainted with the details of every branch of the revenue, to obtain a thorough knowledge of the village institutions, to inquire minutely into the state of the country, and to see the effect of the assessment upon the ryots. This useful knowledge he can acquire only in a small district, but when he has once acquired it, he will have no difficulty in applying it upon the most extensive scale to other districts, and in managing the revenue affairs of the largest.

Pressure of business to be relieved, not by the employment of a larger European agency, but by the adoption of a better system.

It is to the want of a sufficient degree of previous training, and to the consequent incompetency of many of our local officers, that we are chiefly to ascribe the complaints of the pressure of business which have been so frequent of late years. The complaint of pressure of business on Collectors is often either not founded, or arises from want of system in conducting it, as is obvious from its being sometimes least heard in those ryotwár districts where the details are greatest. We must not always suppose that the difficulty of getting through business is a proof of there being too much; for we shall probably, on examination, find that it arises from something in the nature of our regulations which unnecessarily impedes its progress. We may easily, by injudicious rules, so embarrass business as to make that which ought to be done by one person too much for three. It is useful in public, as

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well as in private establishments, to abridge labour; and much may be done in this way by method. Before, therefore, we admit that more European servants are necessary in any quarter, we should ascertain whether the pressure is real or artificial; whether it originates in the nature of the business itself or in the restraints of injudicious rules. The employing of too many European agents serves only to produce indolent habits, which reach the native establishments, and render the whole department dilatory in all its operations. Whatever be the number of agents employed, the labour will be distributed to all, and each will think he has enough. The pressure of business, therefore, must be relieved, not by more European agency, but by revising our rules, and by adopting in other districts the system for the despatch of business, which is observed in the districts where it is best managed. If Government were always to furnish additional aid whenever it was called for, they would soon double their establishments.

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ILL-TREATMENT OF NATIVES BY MILITARY OFFICERS.

28th December, 1820.

I HAVE read with attention the answers which Captain —— and Major —— were required by the Commander-in-chief to make to the charges preferred against them by the Collector of Ballári, of ill-treating the inhabitants of his district; and I am sorry to say that, after making full allowance for the probable exaggerations of the sufferers, I can see but little in them to vindicate the conduct of these officers. It does not appear that the inhabitants suffered any personal injury from Captain ——, but they suffered in their property by their cattle being taken from them and carried to Hyderabad. Captain ——'s own statement, that the bullocks and buffaloes were brought on because the owners did not appear, is a plain enough indication of their having been taken by force. Buffaloes are certainly no part of the equipment of a corps, nor has Captain —— explained how they came to be so in his. It was his duty to have a proper supply of carriage when he marched, and if it had been lessened by casualties, to have replaced the deficiency by voluntary purchase, and paying on the spot. The carrying away of cattle without payment, however it may be softened under the name of hire, can be regarded in no other light than that of marauding.

Tyrannous proceedings of two military officers on a march.

Forcible seizure of cattle in one case.

The conduct of Major —— is much more reprehensible than that of Captain ——; for the outrages committed by him were upon the persons of the inhabitants, for not furnishing supplies which they had received no instructions to provide. He had received no communication from the Collector, and he had no cause to believe that supplies would have been ready

Personal ill-usage resorted to in the other case.

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for him at every stage on his route. It was his duty to have had one or two days' supply of grain with him in order to have guarded him against any accidental failure. He had been authorized by the Government order to establish a regimental bazar, and if he had not made such progress in it as to have been able to carry two days' subsistence, he ought to have directed the sepoys to provide it themselves. He seems, after his thirty years' service, to have acquired no knowledge of the most common means of obviating the occurrence of distress, and to have thought that his own want of precaution

Remarks.

might always be remedied by beating the inhabitants. He ought to have known that many small villages can furnish no supplies, and that when supplies are furnished by the Collector, they are generally drawn from several villages at some miles' distance. His beating the potail, and his ordering the zillahdár to be rattaned, to be marched as a prisoner for two days, and to be dismounted from the tattoo which had been lent to him, are such wanton acts of oppression as to call for the severest censure.

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ON THE SERVICES OF MAJOR-GENERAL SIR JOHN MALCOLM.*

26th October, 1821.

Departure of Sir John Malcolm from India. His eminent services.

I HAVE learned with deep concern that Major-General Sir John Malcolm is compelled to proceed to Europe for the benefit of his health. The many and important services of Sir John Malcolm in different situations have been so often brought to the notice of the Honourable the Court of Directors by the Supreme Government, that no praise of this Government can add to his high reputation. Although however it belongs to higher authority to appreciate the services of this distinguished officer in the late Mahratta war and the settlement of Central India, I cannot on this occasion deny myself the pleasure of expressing the high sense which I entertain of his talents, and of his unwearied and honourable exertion of them for the benefit of his country. Among the individuals who have at different times distinguished themselves in the employment of the Company, Sir John Malcolm will always hold a high rank. His career has been unexampled; for no other servant of the Company has ever, during so long a period, been so constantly employed in the conduct of such various and important military and political duties. His great talents were too well known to admit of their being left at the disposal of a subordinate Presidency. The exercise of them in different situations has connected him with every Presidency, and rendered him less the servant of any one of them, than of the Indian empire at large.

I propose that in granting Major-General Sir John Malcolm permission to return to Europe in compliance with his request, we take occasion to express in general orders our sense of his services in the terms suggested in this Minute.

* Sir John Malcolm was an officer of the Madras army, who had held high military and political appointments, and subsequently ended his official career as Governor of Bombay.

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ON PECUNIARY TRANSACTIONS BETWEEN A EUROPEAN DISTRICT OFFICER AND A ZEMINDÁR.

28th August, 1821.

Case of a Collector borrowing money, and allowing his cash-keeper to receive a legacy from a zemindár.

THE censure by Government of Mr. O——'s conduct, in having borrowed 14,000 rupees from the late zemindár, and permitted his cash-keeper to receive a legacy by the zemindár's will of 10,000 pagodas, has long since been pronounced; and the Board of Revenue, in transmitting it to him, were directed to ascertain whether the legacy had been paid. His answer was received in a letter from the Board of Revenue of the 27th March, 1820; but as no order was then passed upon it, the decision of the Board ought now to be given without further delay. In answer to the observation of Government 'that 'the money he borrowed did not bear interest, and, therefore, 'that Mr. O—— inadvertently, the Governor in Council is 'willing to believe, but in truth did, in breach of his revenue 'oath, accept a sum of money by way of gift from a zemindár 'paying rent to the Company,' he states that a very unexpected call on him induced him to take the money from the zemindár, only until he could make arrangements for drawing the amount from his agents; that the zemindár was not a single rupee in arrears to Government at the time; that he deposited Company's bonds as security for the debt with the zemindár; that he soon 'after discharged the amount 'with interest; and that he is convinced Government will 'do him the justice, on reflection, to remove from their 'records their former opinion, as it was given under an imper-'fect knowledge of these facts.' In answer to the remark on his attending while the late zemindár made his will, and allowing him to make a bequest of 10,000 pagodas to a

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favourite public servant of his own—that it was 'a transac-'tion which the Governor in Council cannot doubt that 'Mr. O—— will view with unfeigned regret,'—he answers, 'How was I to prevent it, and would it have been justice to 'that servant, supposing him to be the favourite it is said 'he is of mine, to have deprived him of a fortune which no 'length of service would have procured, more particularly so 'as the Board of Revenue had stopped his promotion?'

Unsatisfactory character of the Collector's explanation.

I am so far from thinking that the explanation given by Mr. O—— ought to induce Government 'to remove from their 'records their former opinion,' that I rather think it ought to make us regard it as too lenient. He not only acts wrongly, but he defends his conduct, and does it in such a manner as to show evidently that he is ignorant of the distinctions between right and wrong. He borrows money of a zemindár in defiance of his oath, and justifies it on the ground of an unexpected demand, and of his having paid interest; and he seems to think that there is no harm in such transactions when no profit attends them. Had he paid double interest, it would, in my mind, have made no difference in the nature of the case, for it is not changed by profit or loss: particular circumstances may aggravate the culpability of the transaction, but none can so mitigate it as not to render the officer engaged in it an improper person for any situation of high public trust. Whether a Collector borrows money on an emergency, as an accommodation, or from more interested motives, the effect is the same in lowering the character of our administration. The inhabitants can have no respect for a Collector whom they know descends from his high station to receive favours from a zemindár. They will make no nice distinctions about the rate of interest or the causes of the loan; but they will justly conclude that the same impartiality in matters concerning the zemindár is not now to be expected from him as before the loan.

A Collector should have no money dealings with any inhabitant of his district.

A Collector should have no money dealings of any kind with any zemindár or other inhabitant within his jurisdiction. He should stand aloof, and not only be free from all such concerns, but be above all suspicion. It is only by such conduct that he can maintain the dignity of his office, and preserve the respect and confidence of the people, and discharge properly his duty to the State.

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Defence regarding the legacy untenable.

The answer of Mr. O—— respecting the legacy to his servant, is not less censurable than that regarding the loan to himself. The language is highly disrespectful to his immediate superiors, the Board of Revenue, and the sentiments which it conveys, evince the same insensibility to what constitutes right conduct or high principle. He asks, 'how was 'I to prevent it!' and 'would it have been justice to have 'deprived him of a fortune?' He could easily have prevented it; a single word from him would have been sufficient. He had only to tell the zemindár that he did not wish it, and not a rupee would have been left to the servant. No one will believe that the zemindár could have had any other reason for leaving such a legacy to a person totally unconnected with him, than the wish of securing the influence which he supposed him to have over the Collector. Mr. O—— thinks that it would not have been just to have deprived his servant of his fortune. He would not only have been justified in doing so, but his looking on and permitting him to obtain a fortune from a dying zemindár was a gross abandonment of his public duty. He calls it a piece of 'singular good fortune.' Such good fortune has never been singular where there have been rich zemindárs and indulgent Collectors. He may imagine that it does not affect himself because he has received no share of the money, but the inhabitants will form their own judgment: they will not easily separate the Collector from his servant, and they must be very different from those of other districts if they can have any respect for the character, or any confidence in the impartiality of a Collector, who himself receives loans and permits his servants to receive legacies from zemindárs.

Proposed mode of dealing with the case.

So much time having elapsed since the most objectionable acts charged against Mr. O—— took place, and since the sense of Government was expressed upon them, I do not think that any proceedings ought now to be adopted against him, but that the whole case should be submitted to the Honourable the Court of Directors for their decision. I think, however, that Mr. O—— should be removed to some other district, whenever it can be conveniently done; for, after what has happened in Guntoor, no advantage can be expected from his continuance in that district. The opinion of Government on the explanations of his conduct regarding the loan

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and the legacy, and on his proceedings as Magistrate against the widow, should be communicated to him without delay. He should not be permitted to suppose that the silence of Government has resulted from any approval of his measures, or that these measures are not yet likely to draw upon him the displeasure of the Honourable Court of Directors. It would have been better if Government had not been prevented by the long intervals in the proceedings regarding Guntoor from doing at once themselves all that was necessary for vindicating the character of their administration; for it is of the utmost importance to maintain the public character of our servants, as without it all regulations must be in vain.

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ON THE SAME SUBJECT.

12th November, 1822.

Case referred to in the previous Minute.

THE 4th charge is—'That the late Collector and magistrate 'did borrow money from the late Venkata Gonda Ráo, in 'violation of his public duty.'

Incorrectness of the view taken by the authorities who investigated it.

The Commissioners and the Sadr Adálat acquit Mr. O—— upon this charge, of any violation of his public duty. The Commissioners observe 'that Section II., Regulation XIX., 1802,' prohibits only the lending 'of money to zemindárs.' The Sadr Adálat observe that there was no personal communication respecting the loan between Mr. O—— and the zemindár, and 'that the loan cannot be said to have been contracted by the 'defendant, he not having known at the time who lent the 'money, and there being no entry in Gonda Ráo's accounts 'to the debit or credit of Mr. O——.'

Collector guilty of a breach of his revenue oath.

I cannot subscribe to this opinion. I must maintain that the loan was contracted by the defendant; for if the money had been got from a soucar, or merchant, it would still have been liable to the objection of being a loan from an inhabitant paying revenue to Government. But I may go further, and maintain that the defendant did actually contract the loan with the zemindár; for he must have known that there was no other person at Guntoor who could or would lend the sum required. Janikarámana, Mr. O——'s servant, to whom the Company's bonds with Mr. O——'s blank endorsements were given to sell, says, that 'there was no one then to be found 'at Guntoor to buy those bonds, and that as there had been 'friendship for a long time between Rájá Málráz Venkata, 'Gonda Ráo and witness, he took the bonds to him.' Gonda

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Ráo declined buying them, but received them in pledge and lent the money. Although Mr. O—— deposited bonds to the amount of the money received, and paid the full interest, I cannot but consider the transaction as a breach of his revenue oath. The words of the oath are—'Will not demand, 'take, or accept, &c., from any person paying or liable to pay 'any tribute, rent, or tax to, or for the use of the said united 'Company, any sum of money or other valuable thing by way 'of gift, present, or *otherwise*;' and though he did not actually receive any gift or present, he received accommodation, and accommodation is a valuable thing; for it is always worth as much as would be given in order to obtain it, and the sum of money here received does certainly come within the meaning of the word *otherwise*. The fact of there being no entry in Mr. O——'s name in Gonda Ráo's accounts proves only that the loan was not considered as an ordinary one. Gonda Ráo refused at first to receive any interest, and I have no doubt that he would have advanced the money without any deposit whatever, and never have called for either principal or interest, and thought himself fortunate in having laid the Collector under an obligation. I believe that Mr. O——'s own account of the matter is perfectly correct, 'that a very unexpected call 'on me induced my taking the money only until I could make 'arrangements for drawing the amount from my agents.' I believe that there was no corrupt motive; but we are not to consider the motive only, but also, whether the act itself was not contrary to public duty and injurious to the character of the revenue administration of the country; and this is the more necessary, as higher authorities than Mr. O—— seem to think that acts which, if permitted, must produce these bad consequences, may be justified by the absence of a corrupt motive. I acquit Mr. O—— fully in every part of the charges against him of any corrupt motive whatever; but still I think that his conduct has been so improper as to disqualify him from ever being employed as Collector of Guntoor. I see in him no want of principle, but a great want of perception as to what constitutes propriety and impropriety in the conduct of a public officer. I am not surprised, therefore, that labouring under this defect, he should consider himself as perfectly blameless; but I have been both surprised and concerned to find that both the Commissioners and the Sadr Adálat concur in this

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sentiment, and seem, if possible, to have a better opinion of Mr. O——'s conduct than himself.

Remarks on the legacy.

The Commissioners, in speaking of the bequest of 10,000 pagodas to Krishna Ráo, observe that 'he or any other 'gentleman possessing ordinary feelings of generosity would 'have spurned the idea of seeking security from undeserved 'imputation at the expense of depriving an inferior fellow-'servant of a handsome provision for life.' This is language more suitable to inferior servants defending their malpractices, than to men in the high office of Commissioners. The Sadr Adálat, in speaking of the same transaction, say, 'That the permitting of the bequest to be made is certainly 'proved, but we do not see how the defendant was bound or 'could be induced to prevent it, and that they cannot do 'otherwise than come to a decided conclusion that the 'money was bequeathed from a feeling of friendship and 'esteem.'

Mistaken view taken of the loan by the Commissioners and by the Sadr Adálat.

The Commissioners, in speaking of the 14,000 rupees borrowed by Mr. O——, say that 'if the borrowing of money 'from a zemindár under any circumstance be held to be a 'violation of public duty,' Section II., Regulation XIX., 1802, ought to be amended, as it 'prohibits only the lending of money 'to zemindárs, and hence well-meaning and unsuspicious per-'sons may (the senior Commissioner apprehends) be led to 'infer that there can be no harm in borrowing.' The Sadr Adálat, in speaking of this transaction, declare that it does not appear to them 'to have been any violation of his public 'duty or of propriety.' The Judges, in delivering these opinions, seem to have been misled by their want of experience in revenue affairs preventing them from perceiving the mischievous effects which would result from permitting Collectors to borrow, and their servants to receive, legacies from zemindárs; otherwise it is impossible that they could have pronounced such acts to be no violation of public duty or of propriety.

Necessity of maintaining a high moral tone on the part of the European officers of districts.

I think, notwithstanding what has been said by the Commissioners, that we have many Collectors who would not have spurned the idea of preventing a principal native revenue servant from receiving from a zemindár of his Collectorate a handsome provision for life, and that we have many who would neither borrow nor receive themselves, nor

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permit their servants to do so. It is degrading the Collector to call him the fellow-servant of the native revenue officers whom he appoints and dismisses, and to speak of him as if he ought to have a fellow-feeling with them, and ought not to stand in the way of their good fortune. He is not their fellow-servant, but their master; and it is his duty to stand in the way of their good fortune whenever it comes in such a shape as to be likely to affect his own character or that of the Government. We cannot safely permit in revenue administration what we cannot publicly avow. What would be the effect of a public declaration that Collectors might borrow and their native servants receive legacies and donations from zemindárs and others, provided the motive were private friendship and not corruption? It would in a very short time produce universal corruption and embezzlement, and lower both the revenue and the character of Government and all its officers. A public officer is not to be held blameless, merely because he does not come within the breach of the law: one holding the high office of Judge or Collector ought to be guided rather by a high sense of character and propriety than by the fear of the law. He ought to feel that the Regulation which prohibits lending, virtually prohibits borrowing; because the object was to prevent extortion and corruption, though lending only was prohibited, as usurious loans were in former times the great sources of the evil to be remedied. He ought to have no money dealings whatever with any native under his authority, and he ought by every means in his power to prevent his native servants from having any such dealings, or from receiving any legacies or donations from any zemindár or inhabitant residing within his jurisdiction.

Objections to permitting the officer concerned to resume his appointment.

In a former Minute, dated 28th August, 1821, I stated that I was induced by the long time which had elapsed since the sense of Government had been expressed upon Mr. O——'s conduct, not to proceed further against him; but I recommended that he should as soon as convenient be removed from Guntoor to another district, and that the whole case should be submitted to the Honourable the Court of Directors for their decision. Had I taken up the matter on my first arrival in this country, in June, 1820, I would have proposed, not his trial, but his immediate removal from office; but having overlooked it in the hurry of other affairs, and being

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also unwilling to revise or deviate from the course followed by our predecessors at this Board, who appeared to have been satisfied with passing censure, I thought it best to refer the subject to the Honourable Court of Directors. As, however, orders were in the mean time received from the Honourable Court for instituting proceedings into Mr. O——'s conduct, I regarded them as sufficient authority for us to act, without the necessity of strictly adhering to the intentions of the former Board. I therefore began by doing what I thought should have been done at an earlier period, namely, recommending the removal of Mr. O—— from the office of Collector. His removal was preferred to his suspension, because it would leave no ground for alleging, as had been done on a former occasion, that the acting Collector had an interest in establishing the misconduct of the suspended one, and because I thought that, whatever might be the result of the trial, he ought not to be restored. He has now been acquitted by his judges, and had they also found that the legacy and the loan were disproved, he would have been entitled to restoration. But as both these facts remain uncontradicted, and have been made known to every person in Guntoor by the long public trial which has taken place, to restore him would be to proclaim to the inhabitants of that district that his conduct in borrowing money himself, and in permitting his servant to receive a legacy from a zemindár, was authorized by Government.

The character of the Government is involved in such transactions.

Mr. O—— states in his defence that his character can only be cleared by his restoration; but Government must look to its own character as well as his, and take care not to lower it in the eyes of the people by appearing to sanction, in the remotest degree, in its public officers, acts so contrary to the right administration of the country. Government always can and ought to judge for itself, whether a public servant is fit for a particular office or not. It does not require for this purpose the decision of any court. Mr. O—— receives a loan from a zemindár, and he is present and permits one public servant to write a will bequeathing a legacy to another by the same zemindár. His judges regard these acts as no violation of public duty or even of propriety. Could I concur in this opinion, I would propose his restoration, but as I do not, I must withhold my assent to such a measure.

Government must judge whether a public servant is fit for a particular office or not.

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Mr. O—— has been most fully acquitted of the conspiracy and corruption charged against him, and he may, therefore, be employed in any other district than Guntoor, when an opportunity offers; but until he abandons his present opinions respecting the privileges of revenue servants in receiving legacies, I should be unwilling to recommend his being employed as a Collector.

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OFFICE OF REVENUE AND JUDICIAL SECRETARY.

23rd January, 1824.

Importance of remunerating public offices in proportion to their usefulness.

UNDER all Governments it is advantageous to the community that public offices be paid in some degree in proportion to their rank and utility. It was upon this ground that I formerly proposed an amelioration of the allowances of Collectors, and it is upon this ground that I now think it advisable that we should recommend to the Honourable the Court of Directors an addition to the salary of one of the Secretaries to Government.

Inadequacy of the salary received by the Secretary to Government in the Judicial and Revenue Departments. Causes of this.

There is hardly an officer under the Government whose salary, with regard to the importance of his duties, is so inadequate as that of the Secretary to Government in the Judicial and Revenue Departments. The salary of the Chief Secretary is about what it ought to be in comparison with that of the heads of the principal departments. The salary of the Military Secretary is on a moderate scale, but it is sufficient, as it would be regarded as an ample remuneration by any military officer who might hereafter be appointed to the office. That of the Secretary in the Public Department requires no increase. Of all these offices, that of the Judicial and Revenue Secretary alone appears to me not to have been placed on the level to which it is entitled from its great utility and its extensive and complicated duties. This inattention to its importance seems to have arisen from various causes: to its having in 1800, as well as the offices of the other Secretaries to Government, been entrusted to young men of only six years' standing, who could not by law draw a high salary; to the field of our practical revenue knowledge having been very limited until after 1799; to our judicial establishments

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having been only begun in 1802 and not been finished until 1806; and to the subordinate Secretaries having during that period, and for some years afterwards, been considered as mere deputies of the Chief Secretary, by whom all the important business of each of their offices was performed. This practice, however, as far at least as regards the Judicial and Revenue Secretary, has unavoidably ceased for many years past. The business of his department has since then greatly increased, and is growing every day, and is now too extensive and difficult to be taken up casually by the Chief Secretary, or by any person but himself, and he alone must discharge the whole of its arduous duties. When there was less business to be done, and when the office was of less consequence, it was regarded merely as a step to something higher, and the salary was therefore no serious objection. It was usually held by young men, who soon left it for something better. This practice might not then have been attended with much inconvenience; but from the change of circumstances it could not now be admitted without great detriment to public service. It is absolutely necessary to the efficient discharge of the business of the department that the Judicial and Revenue Secretary should not be liable to frequent change, but should remain long in office; but this cannot be expected while his own interest is perpetually urging him to quit it, when his own salary is below that of almost every Collector of a permanently settled district, below that of every Collector of an unsettled district and of every Zillah Judge. The situation ought always to be filled by one of the most experienced and able men in the service; for if its duties are properly discharged, it is inferior in usefulness to none under the Government. It requires knowledge of the most minute details and of the most important affairs of the State; of the customs and local institutions of the country; of the condition of the people; of the defects and advantages of the different modes in which taxes are distributed and levied; of our judicial regulations, and of their operation in protecting the persons and property of the inhabitants. All these matters, it is true, are under the more immediate management of the Sadr Adálat and the Board of Revenue. But all their statements and reports come under the review of the Secretary, and he should be able to ascertain from them how far the general system of internal administra-

Nature of the duties.

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tion is well or ill conducted; in what particulars the proceedings of the local officers have been praiseworthy or blamable; and in what our rules and regulations appear to be well or ill adapted to their ends; and, by bringing this information before Government, enable it the more easily to discover and correct whatever is defective. These are the duties of the Judicial and Revenue Secretary. They can be performed only by a man who combines talents with knowledge and great application to business; but the services of such a man cannot be secured in the Secretary's office unless their remuneration be made equal to what they would receive in any other, and upon this principle I think that the salary ought not to be less than that of the Second Member of the Board of Revenue.

Importance of the office.

I have not looked to what the salary was, or to what it now is, because the great importance of the office was not sufficiently known when it was fixed, and it is only by the standard of its importance that it ought to be regulated. There can be no doubt that men will always be found ready to accept the office upon its present salary. But such men, though they may be able to execute with diligence and regularity all its ordinary and inferior duties, will be incapable of discharging properly its higher and more difficult duties. It is impossible that the business of the State can be efficiently carried on, unless the office of the Judicial and Revenue Secretary be held by a competent man; and I therefore earnestly recommend that, in order to make it a desirable object for such a man, its salary be rendered adequate to the rank which it holds among the most important offices under the Government.

Services of Mr. Hill.

Mr. Hill, the present Secretary, was appointed in 1812, and though but young in the service, he was, I believe, better qualified for the office than any civil servant of any longer experience, who was not already better provided for. His talents, which ought to have promoted him, have rather stood in the way of his advancement, by rendering him too useful at the Presidency to be sent away from it. I would gladly have promoted him to a more lucrative office in the provinces, but I felt that it was too late for him to enter upon a new line of service, and that I could not easily supply his place. I would therefore venture respectfully to express my hope that the Honourable Court will, in the event of its sanctioning the proposed increase of salary, authorize it to take place from this date.

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ABSENCE OF THE GOVERNOR FROM THE PRESIDENCY.

8th May, 1821.

I BEG to inform the Board that it is my intention to proceed to Bangalore and to be absent from the Presidency for three or four weeks. Domestic considerations form the immediate inducement for my going, but it will afford me the opportunity of inquiring into the state of the districts through which I pass, and of ascertaining what parts of the present system of administration may be attended with inconvenience or admit of improvement. Reasons for the Governor's absence.

The Honourable the Court of Directors have observed as follows in their letter of the 10th of February, 1807: 'We 'consider it highly proper that our respective Governors 'should occasionally visit the out-stations and districts under 'their respective authorities, in order to obtain, by personal 'communication with the public officers on the spot, all the 'circumstances peculiar to each district.' The personal inspection recommended by the Honourable Court is advantageous at all times, but more particularly at present, when the decennial leases are expiring, and when several modifications of the revenue and judicial system have been adopted by the Board. Advantage of Governor visiting the interior of their respective Presidencies.

My absence will be short, and I shall be within such easy reach all the time, that I do not apprehend that any inconvenience is likely to arise from it in the despatch of public business at the Presidency.

It is provided by the Act of the 39 and 40 George III., chap. 79, that when the Governor shall be absent from council 'the senior Member for the time being, who shall be Arrangements for the conduct of business during the

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Governor's absence.

'present at the council so assembled, shall preside at such 'council.' I therefore propose that on my departure from the Presidency a notification be published that the office of Vice-President in Council has devolved upon His Excellency the Commander-in-chief, and that the affairs of the Government will continue to be conducted in the name of the Governor, who is everywhere to be obeyed as such.*

* The arrangement proposed in the foregoing Minute, that the Commander-in-chief should hold the office of Vice-President in Council during the absence of the Governor from the Presidency, would seem to have been opposed, at all events, to the spirit of 33 George III. cap. 52, section 30, whereby the Commander-in-chief was excluded from succeeding to a vacancy in the office of Governor, 'when no provisional or other successor was on the 'spot to supply such vacancy;' but, whatever may have been the law at the time when Munro wrote, it has been made clear by the Indian Councils Act of 1861, section 34, that in the particular case referred to, viz. the temporary absence of a Governor from the meetings of Council, 'the 'senior civil ordinary Member of 'Council present is to preside.'

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THE PRINCIPLES WHICH SHOULD REGULATE THE GRANT OF SPECIAL REWARDS TO PUBLIC SERVANTS.

30th March, 1821.

Grants of villages should only be given for eminent services.

Grants of villages are, by the custom of the country, the proper reward of the higher class of native officers for eminent services in the political, military, or civil departments. They are conferred on this class either for some particular distinguished service, or for long and able services as the principal officer in some important department. They are also conferred on individuals even of the humblest rank, who may have performed some extraordinary exploit, or rendered some essential benefit to the State. But to none of these classes does the petitioner belong. His rank is obscure, and in an office so very subordinate as that of vakīl of the Body-guard, he could have done nothing of any consequence for the public. It does not appear that he has ever distinguished himself by any extraordinary service, or that he has any other titles to favour than those of zeal, integrity, and ability in the discharge of the duties of an humble office.

Such rewards should not be made too common.

I shall always be ready to support the claims of distinguished exploits, and of important services, to public honours and rewards, because by doing so we keep alive the zeal and emulation of our native servants and strengthen their attachment to our government. But our rewards will certainly not produce these desirable effects if we bestow them for services so common as only to be described by the general term of good character. I am persuaded that we shall always have among our native servants a sufficient number entitled by meritorious actions and important services to receive all the provision that can be conveniently spared for this purpose,

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and the more liberal we are therefore in rewarding services of little importance, the less able we shall be to distinguish in a suitable manner those of a higher order.

As a general rule the amount of the reward for public services should be measured by the amount of the official salary drawn by the recipient.

In fixing the reward to be allowed to any individual for his services, it has been usual to measure the amount by his official pay and to keep it in general within that standard. The rule is a good one, and is the safest guide for our conduct; for the pay of our native officers in the different departments of the service shows at least the relative importance attached to their several employments. This rule is, however, departed from in extraordinary instances where persons of the lowest rank, for the discovery of a conspiracy or some other signal service, have obtained pensions exceeding those of the highest rank. In all other cases some regard should be had to the pay of the individual, whether it be five rupees or five hundred.

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INEXPEDIENCY OF SUBDIVIDING PENSIONS GRANTED BY GOVERNMENT.

29th September, 1821.

Pensions granted by Government should not be subdivided among several members of a family.

I CONSIDER the whole of the pensions to be still held, as they were at first granted, liable to resumption whenever Government please. As long as they are continued, no further subdivision should be made; but the whole of each pension should go to the nearest heir alone, and he should be left perfectly free to make such provision as he may think proper for the rest of the family. No sooner was Hussain Ali Khân dead, than the Chief and Council of Masulipatam, in 1771, in their anxiety to protect all the members of his family, made a minute partition of the pension, allotting the share each individual was to receive, and that which was to be set apart for marriages, repairs of houses, and other purposes. Had the whole pension, or whatever part of it Government thought proper to continue, been granted in the name of the eldest son, Rustamjah, and his brothers and relations been left to depend on his bounty, he would have provided for them in the best way he could. They would have respected him as the head of the family, and the time of Government would not have been occupied in hearing complaints and settling allowances which ought to be matters of domestic arrangement. In all grants by Government, whether of land or money, there should be no division. The thing granted should go entire to one heir. By this means we shall maintain many respectable families in the country, who will be regarded as monuments of the Company's bounty, and will encourage others to endeavour by equally meritorious services to obtain similar rewards. If, instead of this, we permit a

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Evils of subdivision.

division of the grant, there will, after one generation, be no respectable heads of families scattered over the country as memorials of the Company's bounty, but a crowd of needy litigious claimants, contending for their several shares of a dismembered property. Whenever Government make a division of a pension among the members of a family, they attempt to do that for which they are not at all qualified. I do not believe that they ever yet made a division which was satisfactory to all the claimants concerned, and if they could even make such a division, it would be productive of the worst effects. It would greatly extend the evil, which already exists, of the members of large families living in idleness and in great misery on portions of pensions much smaller than the wages of a common labourer, in place of going in quest of employment, which they would do if the pension went only to the head of the family. It would keep alive petty intrigues between the different claimants and our native servants, whenever a division was to be made, and it would increase the numbers of these petitions which have of late years occupied so much of the time of Government, which ought to have been devoted to more important matters.

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DANGER OF A FREE PRESS IN INDIA.

12th April, 1822.

A GREAT deal has of late been said, both in this country and in England, regarding the liberty of the Indian press; and although nothing has occurred to bring the question regularly before the Board, yet as I think it one on which, according to the decision which may be given, the preservation of our dominion in India may depend, and as it appears to me desirable that the Honourable Court of Directors should be in possession of the sentiments of this Government at as early a period as possible, I deem it my duty to call the attention of the Board to the subject. *Importance of the question.*

I cannot view the question of a free press in this country without feeling that the tenure with which we hold our power, never has been and never can be the liberties of the people. I therefore consider it as essential to the tranquillity of the country and the maintenance of our Government, that all the present restrictions should be continued. Were the people all our own countrymen, I would prefer the utmost freedom of the press, but as they are, nothing could be more dangerous than such freedom. In place of spreading useful knowledge among the people, and tending to their better Government, it would generate insubordination, insurrection, and anarchy. *British power in India is not based upon the liberties of the people.*

Those who speak of the press being free in this country, have looked at only one part of the subject. They have looked no farther than to Englishmen, and to the press as a monopoly in their hands for the amusement or benefit of their countrymen. They have not looked to its freedom among the natives, to be by them employed for whatever they also may consider to be for their own benefit and that of their country- *A free press incompatible with the dominion of strangers.*

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men. A free press and the dominion of strangers are things which are quite incompatible, and which cannot long exist together. For what is the first duty of a free press? It is to deliver the country from a foreign yoke, and to sacrifice to this one great object every meaner consideration; and if we make the press really free to the natives as well as to Europeans, it must inevitably lead to this result. We might wish that the press should be used to convey moral and religious instruction to the natives, and that its efforts should go no further. They might be satisfied with this for a time, but would soon learn to apply it to political purposes, to compare their own situation and ours, and to overthrow our power.

A free press can only frustrate improvement.

The advocates of a free press seek, they say, the improvement of our system of Indian government, and of the minds and the condition of the natives; but these desirable ends are, I am convinced, quite unattainable by the means they propose. There are two important points which should always be kept in view in our administration of affairs here. The first is, that our sovereignty should be prolonged to the remotest possible period; the second is, that whenever we are obliged to resign it, we should leave the natives so far improved from their connection with us as to be capable of maintaining a free, or at least a regular government, among themselves. If these objects can ever be accomplished, it can only be under a restricted press. A free one, so far from facilitating, would render their attainment utterly impracticable; for by attempting to precipitate improvement it would frustrate all the benefits which might have been derived from a more cautious and temperate proceeding.

No public in India.

In the present state of India, the good to be expected from a free press is trifling and uncertain, but the mischief is incalculable, and as to the proprietor of newspapers the latter is the more profitable of the two, it will generally have the preference. There is no public in India to be guided or instructed by a free press. The whole of the European society is composed of civil and military officers belonging to the King's and the Honourable Company's service, with a small proportion of merchants and shopkeepers. There are but few among them who have not access to the newspapers and periodical publications of Europe, or who require the aid of political information from an Indian newspaper.

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Restrictions on the press very few.

The restraint on the press is very limited. It extends only to attacks on the character of Government and its officers, and on the religion of the natives. On all other points it is free. The removal of these restrictions could be of advantage to none but the proprietors of newspapers. It is their business to sell their papers, and they must fill them with such articles as are most likely to answer this purpose. Nothing in a newspaper excites so much interest as strictures on the conduct of Government or its officers; but this is more peculiarly the case in India, where, from the smallness of the European society, almost all the individuals composing it are known to each other, and almost every European may be said to be a public officer. The newspaper which censures most freely public men and measures, and which is most personal in its attacks, will have the greatest sale.

Law of libel ineffective in India.

The law, it may be supposed, would be able to correct any violent abuse of the liberty of the press; but this would not be the case. The petty jury are shopkeepers and mechanics, a class not holding in this country the same station as in England—a class by themselves, not mixing with the merchants or the civil and military servants, insignificant in number, and having no weight in the community. They will never, however differently the judge may think, find a libel in a newspaper against a public officer. Even if the jury could act without bias, the agitation arising from such trials in a small society would far outweigh any advantage they could produce. The editors of newspapers, therefore, if only restrained by the law of libel, might fearlessly calumniate the character of public officers, and misrepresent and stigmatize the conduct of Government; they would be urged by the powerful incentive of self-interest to follow this course, and they would be the only part of the European population which could derive any advantage from a free press.

Freedom of the press, if granted, cannot be confined to Europeans.

Every military officer who was dissatisfied with his immediate superior, with the Commander-in-chief, or with the decision of a court-martial, would traduce them in the newspaper. Every civil servant who thought his services were neglected or not sufficiently acknowledged by the head of the department in which he was employed, or by Government, would libel them. Every attempt to restrain them by

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recourse to a jury would end in defeat, ridicule, and disgrace, and all proper respect for the authority of Government would be gradually destroyed. The evil of the decline of authority would be sufficiently great, even if it went no further than the European community; but it will not stop there. It will extend to the natives; and whenever this happens, the question will not be, whether or not a few proprietors of newspapers are to be enriched and the European community to be amused by the liberty of the press, but whether our dominion in India is to stand or fall. We cannot have a monopoly of the freedom of the press. We cannot confine it to Europeans only. There is no device or continuance by which this can be done, and if it be made really free, it must in time produce nearly the same consequences here which it does everywhere else. It must spread among the people the principles of liberty, and stimulate them to expel the strangers who rule over them and to establish a national government.

Its bad effect upon the native army.

Were we sure that the press would act only through the masses of the people after the great body of them should have imbibed the spirit of freedom, the danger would be seen at a distance, and there would be ample time to guard against it; but from our peculiar situation in this country this is not what would take place, for the danger would come upon us from our native army, not from the people. In countries not under a foreign government, the spirit of freedom usually grows up with the gradual progress of early education and knowledge among the body of the people: this is its natural origin, and were it to arise in this way in this country while under our rule, its course would be quiet and uniform, unattended by any sudden commotion; and the change in the character and opinions of the people might be met by suitable changes in the form of our government. But we cannot with any reason expect this silent and tranquil revolution; for, owing to the unnatural state in which India will be placed under a foreign government with a free press and a native army, the spirit of independence will spring up in this army long before it is ever thought of among the people. The army will not wait for the slow operation of the instruction of the people and the growth of liberty among them, but will hasten to execute their own measures for the overthrow of the Government and the recovery of their national indepen-

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dence, which they will soon learn from the press it is their duty to accomplish.

Probabilities of a military revolt.

The high opinion entertained of us by the natives, and the deference and respect for authority which have hitherto prevailed among ourselves, have been the main cause of our success in this country; but when these principles shall be shaken or swept away by a free press, encouraged by our juries to become a licentious one, the change will soon reach and pervade the whole native army. The native troops are the only body of natives who are always mixed with the Europeans, and they will therefore be the first to learn the doctrines circulated among them by the newspapers; for as these doctrines will become the frequent subject of discussion among the European officers, it will not be long before they are known to the native officers and troops. These men will probably not trouble themselves much about distinctions regarding the rights of the people and forms of government, but they will learn from what they hear, to consider what immediately concerns themselves, and for which they require but little prompting. They will learn to compare their own low allowances and humble rank with those of their European officers, to examine the ground on which the wide difference rests, to estimate their own strength and resources, and to believe that it is their duty to shake off a foreign yoke, and to secure for themselves the honours and emoluments which their country yields. If the press be free, they must immediately learn all this and much more. Their assemblage in garrisons and cantonments will render it easy for them to consult together regarding their plans. They will have no great difficulty in finding leaders qualified to direct them. Their patience, their habits of discipline, and their experience in war will hold out the fairest prospect of success. They will be stimulated by the love of power and independence, and by ambition and avarice to carry their designs to execution. The attempt would no doubt be dangerous, but where the contest was for so rich a stake, they would not be deterred by the danger. They might fail in their first attempt, but even then failure would not, as under a national government, confirm our power, but shake it to its foundation. The military insubordination, which is occasioned by some partial or temporary cause, may be removed; but that which arises from a change in the

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character of the troops, urging them to systematic opposition, cannot be subdued. We should never again recover our present ascendency. All confidence in them would be destroyed, but they would persevere in their designs until they were finally successful, and after a sanguinary civil war, or rather, after passing through a series of insurrections and massacres, we should be compelled to abandon the country.

Such a revolt would be joined in by the great body of the people.

We might endeavour to secure ourselves by augmenting our European establishment. This might, at great additional expense, avert the evil for a time; but no increase of Europeans could long protract the existence of our dominion. In such a contest we are not to expect any aid from the people. The native army would be joined by all that numerous and active class of men formerly belonging to the revenue and police departments who are now unemployed, and by many now in office who look for higher situations, and by means of these men they would easily render themselves masters of the open country and of its revenue. The great mass of the people would remain quiet. The merchants and shopkeepers, from having found facilities given to the trade which they never before experienced, might wish us success; but they would do no more. The heads of villages, who have at their disposal the most warlike part of their inhabitants, would be more likely to join their countrymen than to support our cause. They have, it is true, when under their native rulers, often shown a strong desire to be transferred to our dominion; but this feeling arose from temporary causes, the immediate pressure of a weak and rapacious government, and the hope of bettering themselves by a change. But they have now tried our government, and found that, though they are protected in their persons and property, they have lost many of the emoluments which they derived from a lax revenue system under their native chiefs, and have also lost much of their former authority and consideration among the inhabitants by the establishment of our judicial courts and European Magistrates and Collectors. The hope of recovering their former rank and influence would therefore render a great part of them well disposed to favour any plan for our overthrow. We delude ourselves if we believe that gratitude for the protection they have received, or attachment to our government, would induce any considerable body of the people to side with us in a struggle with the native army.

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The danger, however distant, is inevitable if the press becomes free.

I do not apprehend any immediate danger from the press. It would require many years before it could produce much effect on our native army. But though the danger be distant, it is not the less certain, and will inevitably overtake us if the press become free. The liberty of the press and a foreign yoke are already stated to be quite incompatible: we cannot leave it free with any regard to our own safety. We cannot restrain it by trial by a jury, because, from the nature of juries in this country, public officers can never be tried by their peers. No jury will ever give a verdict against the publisher of any libel upon them, however gross it may be. The press must be restrained either by a censor, or by the power of sending home at once the publisher of any libellous or inflammatory paper at the responsibility of Government, without the Supreme Court having authority, on any plea whatever, to detain him for a single day.

Progress of knowledge among the natives will not be really hindered by the necessary restrictions upon the freedom of the press.

Such restrictions as those proposed will not hinder the progress of knowledge among the natives, but rather insure it, by leaving it to follow its natural course, and protecting it against military violence and anarchy. Its natural course is not the circulation of newspapers and pamphlets among the natives immediately connected with Europeans, but education gradually spreading among the body of the people, and diffusing moral and religious instruction through every class of the community. The desire of independence and of governing themselves, which in every country follows the progress of knowledge, ought to spring up and become general among the people before it reaches the army; and there can be no doubt that it will become general in India, if we do not prevent it by ill-judged precipitation in seeking to effect in a few years changes which must be the work of generations. By mild and equitable government, by promoting the dissemination of useful books among the natives without attacking their religions, by protecting their own numerous schools, by encouraging by honorary or pecuniary marks of distinction those where the best system of education prevails, by occasional allowances from the public revenue to such as stand in need of this aid; and, above all, by making it worth the while of the natives to cultivate their minds, by giving them a greater share in the civil administration of the country, and holding out the prospect of filling places of rank and emolument as

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inducements to the attainment of knowledge, we shall by degrees banish superstition, and introduce among the natives of India all the enlightened opinions and doctrines which prevail in our own country.

Probable results of the adoption of a different course.

If we take a contrary course—if we, for the sole benefit of a few European editors of newspapers, permit a licentious press to undermine among the natives all respect for the European character and authority, we shall scatter the seeds of discontent among our native troops, and never be secure from insurrection. It is not necessary for this purpose that they should be more intelligent than they are at present, or should have acquired any knowledge of the rights of men or nations. All that is necessary is that they should have lost their present high respect for their officers and the European character; and, whenever this happens, they will rise against us, not for the sake of obtaining the liberty of their country, but of obtaining power and plunder. We are trying an experiment never yet tried in the world,—maintaining a foreign dominion by means of a native army, and teaching that army, through a free press, that they ought to expel us and deliver their country. As far as Europeans only, whether in or out of the service, are concerned, the freedom or restriction of the press could do little good or harm, and would hardly deserve any serious attention. It is only as regards the natives that the press can be viewed with apprehension, and it is only when it comes to agitate our native army that its terrible effects will be felt. Many people, both in this country and in England, will probably go on admiring the efforts of the Indian press, and fondly anticipating the rapid extension of knowledge among the natives, while a tremendous revolution, originating in this very press, is preparing, which will, by the premature and violent overthrow of our power, disappoint all these hopes, and throw India back into a state more hopeless of improvement than when we first found her.

His Excellency the Commander-in-chief has brought to the notice of the Board an anonymous letter in the Hindustáni language, thrown into the lines of the cantonment at Arcot on the night of the 12th of March, urging the troops to murder their European officers, and promising them double pay. This letter was brought in the morning by the subahdar-major of the 6th regiment of native cavalry to

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Lieutenant-Colonel Foulis, the senior officer present in the cantonment. I received a Hindustáni letter by the post some weeks ago, addressed to myself, complaining of the condition of the native army, their depressed situation and low allowances, and exhorting me to do something for their relief. Such letters have been occasionally circulated since our first conquests from Mysore in 1792. I do not notice them now from any belief that they are likely at present to shake the fidelity of our sepoys, but in order to show the motives by which they will probably be instigated to sedition whenever their character shall be changed. But though I consider the danger as still very distant, I think that we cannot be too early in taking measures to avert it. And I trust that the Honourable the Court of Directors will view the question of the press in India as one of the most important that ever came before them, and the establishment of such an engine, unless under the most absolute control of their governments, as dangerous in the highest degree to the existence of the British power in this country.

The following is a translation of the second of the Hindustáni letters referred to in the foregoing Minute:—

Governor Sahib Bahadur, judge of merit, nourisher of the sepoys, high in station, health!

After very many respects and salaams the case is this. From your coming with the appointment of Governor to Madras, all we sepoys and others and poor people were much rejoiced, as we supposed you to be one who understands worth, and who is a nourisher of the sepoys and of the poor. But now, from the counsels of some worthless and bad sirdárs,* and from some of your own acts, it appears that perhaps in a short time all the sepoys of the whole army will suffer much distress from you, and become sad and displeased. You know well the nature of the labour and distress of the sepoys. There is no such labour in any other profession. You well know how the sepoys, leaving their fathers and mothers, their wives and children and friends, have accompanied the white sirdárs from country to country. If there were not sepoys, there would be no rest for any one on the earth. But none of the white sirdárs think of the worth of the sepoys. Has the whole country been gained to the Company by the aid of the sepoys, or by the means of a few civil sirdárs? Look, and weigh this well in your mind. If very great dis-

* *Sirdár*—properly *sardár*—a chief, a head man. Here the word is applied to European officials.

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tinction is conferred by the white sirdárs on black people, bravery is rewarded by a jemadár or subahdárship, or at the utmost by a palankeen; and now Rs. 25 have been granted to the subahdár-majors; and all the rest of the Company's wealth, and the large monthly allowances amounting to thousands of pagodas, and all the offices great and small, are the share of the white sirdárs; and to black people there is nothing but labour, and in all the army of your sepoys there is not two or three persons who have two hundred pagodas a month. If all the labour that we have undergone for a year, had been performed in the service of a Moghul Government, we should certainly have been rewarded with honour, respect, better pay, and all other things; and in your durbár we have not the smallest dignity or honour. If we subahdárs and jemadárs make a salaam to a white sirdár, it is difficult for him to make a return; and the civil sirdárs are such whoresons, what do they care about us, or what salaam do they make! If we sepoys gain a country with the sword, then these whoreson cowardly civil sirdárs come to that country, rule over it, and in a short time fill their coffers with money and go to Europe; and if a sepoy labour all his life, he is not five cowries the better for it. When it was heard that you were coming out as Governor, all the sepoys, subahdárs, and jemadárs were very glad, and still are very glad. Supposing you to be a sirdár who understood worth, we had great hopes that you would certainly have rewarded us, and give us honour. That is all gone. Old people, invalid sepoys, jemadárs, and subahdárs have been forcibly pensioned, and a few sepoys have been forcibly discharged. This is excellent justice, and owing to the invalid pension the sepoys serve all over the country, and the Company's Government is strengthened; and if ever the invalid pension shall cease, it will be very hard to maintain order in the Company's Government. If it be in your mind to do something for the benefit or advantage of the Company, it is better to do it in that which shall cause no loss or distress to sepoys and poor people; and to distress poor people in order to benefit the Company, what name is there in this! To vex and distress the sepoys and the poor men was in the mind of former sirdárs. If it had not been, much good might have been done for the Company. The pay of the civil sirdárs is very heavy and their service very small, and these sirdárs sleep much, and enjoy much ease. To reduce their pay would be nothing wonderful. What is the use of so many Collectors and so many Zillah Courts? For the whole country three or four Collectors and three or four Zillah Courts are enough. If in this way reduction be made, it will certainly be great for the Company's advantage, and also for your name; and from harassing poor people what name will you get? In the time of the Nawáb Wallajah, tahsildárs collected all the revenue of the country, and justice was administered by black people. Then good order and justice prevailed in the country. At present, by means of these Collectors and Zillah Courts, what additional revenue is there collected, and what better justice is there in the country? None. And now from these Collectors and these Zillah Courts the whole country has become ruined. There is no order in the country, and lying and theft and bribery have become great.

Cultivation is not properly made in the country. The ryots are become very proud. The ryots are not treated right in the country; and when also the Collectors and sirdárs of the Zillah Courts, and the dubash

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people, and these writers, are happy and strong in the enjoyment of their bribes, and from these people great loss is suffered by the Company, what loss is there to the Company from the sepoys? A single Collector's peon has an authority and greatness in the country which cannot be expressed. That peon does not fight like a sepoy. If after serving a short time he dies, his family gets pay. If a sepoy carrying a load like an ass serves with sirdárs twenty years, and should he ever die from fatigue, his family does not get a single cowrie of pay. If at any time you mention the purport of this paper to civil or military sirdárs, they will, according to their respective capacities, explain it in opposition to the paper, so as to secure their own allowances and please you. You are a wise man, and must hear all and act according to your own judgment. We thought that you and General Malcolm were men knowing the worth of sepoys. You should therefore make some exertion in favour of the sepoys, subahdárs, jemadárs, etc. It will be for your name. If not, your pleasure is ours also. There is a God.

This petition is from the principal sepoys and others of your army. If any person translate this paper, let him not add or take away, but translate it properly and give it to the Governor. If he translate it wrong, the wrath of God and of the people be upon him, and his head to the gallows; and the curés of the college and of Collectors have two hundred pagodas monthly pay, and some writers sixty or seventy pagodas, and these people have inám villages. What sword have they drawn, and why is such great pay given to those people, and the sepoys not rewarded? What subahdárs and jemadárs have two hundred pagodas a month? In your durbár there is labour and grief, and little ease. Governor Sahib! make some little arrangement in favour of the sepoys, in order that your name may remain bright on the earth, and your fortune and honour be prolonged and happy; since after you die nothing can be done.

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INTERFERENCE OF EUROPEAN OFFICIALS IN THE CONVERSION OF NATIVES.

15th November, 1822.

Distribution of religious books by a Sub-Collector.

HAD I been at the Presidency when the correspondence between the Collector and Sub-Collector of Ballári regarding the conversion of natives was received, I should have lost no time in recording my sentiments upon it. I perused the papers when on my late circuit; and having again carefully examined them since my return, I am sorry to say that I think it will be advisable to employ Mr. —— in some other way than his present situation. Mr. —— transmitted a report, dated the 15th June, upon the settlement of his district to Mr. Campbell, the Collector. Everything in this report is highly commendable, excepting those passages in which he speaks of the character of the natives, and of his having distributed books among them. He evinces strong prejudices against them, and deplores the ignorance of the ryots, and their uncouth speech, which he observes must for ever prevent much direct communication between them and the European authorities. He speaks as if these defects were peculiar to India, and as if all the farmers and labourers of England were well educated and spoke a pure dialect. He says that the natives received readily the books which he had brought for distribution, from which he infers that they are not insensible to the advantages of knowledge. He observes that a public schoolmaster is nowhere a corporate village officer, and that this must have arisen from priestcraft being jealous of the propagation of knowledge among the people. I see no reason to impute the schoolmaster not being a corporate officer to priestcraft. There is no restric-

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tion upon schools. They are left to the fancy of the people; and every village may have as many as it pleases. Mr. Campbell was directed to acquaint Mr. —— that he was not to interfere with native schools, and to call upon him to state what were the books which he had distributed. Mr. Campbell, in forwarding Mr. ——'s reply to this communication, observes, that he has not confined himself to the information required, but has 'indulged himself in a formal 'and most unprovoked attack upon the religion of the people; 'and has placed upon record, within the reach of many of 'them, sentiments highly offensive to their tenderest preju- 'dices.'

The Sub-Collector's description of his proceedings.

Mr. —— says that the books distributed were Canarese versions of parts of the New Testament, and of tracts in the same language on moral and religious subjects. They were distributed to the reddies (potails), curnums, merchants, and ryots, with whom he had intercourse. A few were also distributed among the servants of his own and the district cutcherries. Sometimes, he observes, they were sought with a degree of eagerness. They were never pressed on those who received them; his own cutcherry certainly promoted rather than discouraged the distribution of them. He then proceeds to state with seriousness his former doubts on certain points of faith, his subsequent conversion, and his exposition of various texts. He ought to know that these are matters which do not belong to a cutcherry, and that they concern only himself, and ought not to enter into the official correspondence of revenue officers. He says it did not appear to him that the circulation of books in the mode which he adopted, militated in the smallest degree either against the letter or the spirit of the orders of the Government; that he employed no official influence, no coercion, no compulsory measures; that he usually explained in a few words the general nature of the contents of the books; that he left the acceptance of them to the people themselves, and that they were sometimes sought with eagerness. He requests to know how far Government wish that public servants 'should contribute their endeavours to the diffusion of general, 'moral, and religious instruction among the natives.' He says that 'in anything affecting his situation,' he would not deliberately do what the Collector disapproved; that he thought himself at liberty to use his discretion in distributing books,

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and that 'he has not yet seen anything to lead him to suppose 'that so long as obnoxious interference with the religious 'opinions and practices of the natives is carefully avoided, the 'Government would wish to restrict him in its exercise,' and he concludes by earnestly desiring that his observations, together with the appendix containing the passages in scripture to which they refer, may be recorded.

Inexpediency of official authority being exerted in such matters.

It is sufficiently manifest from Mr. ——'s own plain and candid statement, that his zeal disqualifies him from judging calmly, either of the nature of his own interference or of its probable consequences. I agree entirely with the Collector that 'he cannot, while he holds his appointment, divest 'himself of strong official influence,' and that to obtrude his opinion on his 'public servants, or on the reddies, curnums, 'merchants, and ryots assembled around him on official business,' was manifestly converting his official character into that of a missionary. Mr. —— in fact did all that a missionary could have done. He employed his own and the district cutcherries in the work, and he himself both distributed and explained. If he had been a missionary, what more could he have done? He could not have done so much. He could not have assembled the inhabitants, or employed the cutcherries in distributing moral and religious tracts. No person could have done this but a civil servant, and in Harpanhalli and Ballári none could have done it but him, yet he cannot in this discover official interference. He did not, it is true, use any direct compulsion. That would most probably have caused an explosion, which would instantly have roused him from his delusion. But he did and will continue to use, unknown to himself, something very like compulsion, open interference, official agency, the hope of favour, the fear of displeasure. The people, he says, 'could have no difficulty in distinguishing 'between a matter of authority and of option.' There can be no real freedom of choice, where official authority is interested deeply and exerted openly. A very few of the people might possibly have distinguished between authority and option, but the great body of them would have been more likely to believe that he acted by authority, and that what he was then doing, was only preparatory to some general measure of conversion.

Ignorance of the Sub-Collector of the

Mr. —— promises to be guided by the orders of Government in his conduct to the natives, but I fear that he is too

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much under the dominion of his own fancies to be controlled by any legitimate authority. He has already shown by his declining compliance with the directions of his immediate superior, Mr. Campbell, how little he regards subordination when opposed to what he believes to be his higher duties. He appeals to Government, and while he professes his readiness to conform to their decision, he desires that his opinions regarding the natives may stand or fall 'according 'as they are supported or contradicted by the word of God,' as contained in certain passages of scripture forming the appendix to his letter. This is an extraordinary kind of appeal. He employs his official authority for missionary purposes, and when he is told by his superior that he is wrong, he justifies his acts by quotation from scripture, and by election, a doctrine which has occasioned so much controversy, and he leaves it to be inferred that Government must either adopt his views, or act contrary to divine authority. A person who can, as a Sub-Collector and Magistrate, bring forward such matters for discussion, and seriously desire that they may be placed on record and examined by Government, is not in a frame of mind to be restrained within the proper limits of his duty by any official rules. It never was intended to employ Collectors and Magistrates as teachers of morality and religion, and of course no rules have been framed for their guidance in such pursuits. Every man who has common sense, knows that they are contrary to his duty, and that no safe rule can be laid down but absolute prohibition. We cannot allow Mr. —— or any other public officer to act as a missionary, merely because he supposes that he abstains from 'obnoxious interference.' Every man has a different opinion regarding the obnoxious limits, and each would fix them differently according to the standard of his own zeal.

true principles of subordination.

It is the declared intention, both of the legislature and of the Honourable the Court of Directors, that the people of India should be permitted to enjoy their ancient laws and institutions, and should be protected against all interference of public officers with their religion. This system is the wisest that could be adopted, whether with regard to the tranquillity of the country, the security of the revenue, or the improvement or conversion of the natives. Mr. ——'s is the worst. It is dangerous to the peace of the country and the prosperity of

Non-interference with the religion of the natives, the declared policy of the British Government.

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the revenue, and is even, as a measure of conversion, calculated to defeat his own designs. If I were asked if there would be any danger from leaving him at Ballári, I could not possibly affirm that there would: there might or might not; but if any mischief arose, it would be no excuse for us to say that it was so unlikely that it could not have been expected, for we had had ample warning, and ought to have provided against it.

Danger of tampering with the religious feelings of the natives.

In every country, but especially in this, where the rulers are so few and of a different race from the people, it is the most dangerous of all things to tamper with religious feelings. They may lie apparently dormant, and when we are in unsuspecting security, they may burst forth in the most tremendous manner, as at Vellore. They may be set in motion by the slightest casual incident, and do more mischief in one year than all the labours of missionary Collectors would repair in a hundred. Should they produce any partial disturbance which is quickly put down, even in this case the evil would be lasting. Distrust would be raised between the people and the Government, which would never entirely subside, and the district in which it happened, would never be so safe as before. The agency of Collectors and magistrates as religious instructors can effect no possible good. It may for a moment raise the hopes of a few sanguine men, but it will end in disturbance and failure; and instead of forwarding, will greatly retard every chance of ultimate success. But besides these evils, it would also produce an injurious effect on the administration of the revenue. Designing men of bad characters would soon surround the Collector, and would, by encouraging his hopes, and appearing to enter warmly into his views, soon supplant the more able and less pliant servants of his cutcherry. They would gradually contrive to fill up every subordinate office with their adherents, whom they reported to be favourable to the cause of conversion; and the revenue, between the incapacity and dishonesty of such men, would be diminished both by mismanagement and embezzlement. The employment by the Collector of men as his confidential servants, merely on account of their supporting his plans of conversion, would create suspicion and discontent among the inhabitants; and this spirit might easily be excited to acts of outrage, either by men who were alarmed for their religion, or by men who had no fears for it, but were actuated solely by

the hope of forcing the revenue servants out of office and succeeding them. It is evident from Mr. ——'s own statement of the eagerness with which the books were sought by the ryots and other inhabitants, how ready he is to believe what he wishes, and how well prepared to be deceived by designing natives. He considers the acceptance of the books by the natives, who probably took them merely to flatter him, or to avoid giving him offence, as signs of an impression made on their minds. He never seems to have asked himself why he should have been so much more successful than the regular missionaries. Had he been a private individual, his eyes would have been opened.

Duties of Collectors and Sub-Collectors in such matters defined.

If we authorize one Sub-Collector to act as a missionary, or in aid of conversion, we must authorize all. If we find it difficult to keep them within the line of their civil duties, how could we possibly in those of a religious nature restrain them by any rule? How could we control them in distant provinces? The remoteness of their situation, and their solitude among the natives, would naturally tend to increase their enthusiasm, and every one would have a different opinion and act differently from another, according as his imagination was more or less heated. The best way for a Collector to instruct the natives, is to set them an example in his own conduct, to try to settle their disputes with each other and to prevent their going to law, to hear patiently all their complaints against himself and his servants, and in bad seasons to afford them all the relief in his power, and, if he can do nothing more, to give them at least good words. Whatever change it may be desirable to produce upon the character of the natives, may be effected by much safer and surer means than official interference with their religion.

Free action of regular missionaries.

Regular missionaries are sent out * by the Honourable the Court of Directors and by different European Governments. These men visit every part of the country, and pursue their labours without the smallest hindrance; and as they have no power, they are well received everywhere. In order to dispose the natives to receive our instruction and adopt our opinions, we must first gain their attachment and confidence, and this can only be accomplished

* By "sent out," Munro meant "licensed." As the law then stood, no European could reside in British India without a license from the Court of Directors.

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by a pure administration of justice, by moderate assessment, respect for their customs, and general good government.

Reasons for the removal of the Sub-Collector.

I have said more upon this subject than it may at first sight appear to require, but though it has been brought forward by the conduct of a single individual, it is a question of the most important concern to the welfare of the people and the security of the State, and deserves the most serious consideration. I am fully convinced that official interference with the religion of the natives will deteriorate the revenue and excite discontent and disturbance; and that it will effectually defeat the attainment of the very object for which it is exercised. And as I am also satisfied that to permit the continuance of such interference, would be to hazard the safety of our dominion for the sake of supporting the experiments of a few visionary men, I recommend that it be prohibited. I regret extremely that it should be necessary to pass any censure upon Mr. ——. I selected him for his present situation from having had an opportunity of seeing, when he was employed here, that his assiduity and knowledge of the native languages rendered him well qualified for the office of Sub-Collector. I trust that he may still be usefully employed in the public service in other quarters; but he has put it out of the power of Government to let him remain at Ballári. He was not satisfied with confining his attack upon the religion of the natives to a private communication to the Collector, but he has, by placing it upon record, made it public. To continue him now, would be to sanction his conduct and to proclaim the design of Government to support it. No declaration, nothing but his removal, can effectually do away with this impression among the people.

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TERMS ON WHICH GRANTS OF LAND REVENUE SHOULD BE GIVEN.

16th December, 1823.

Usage of the country opposed to grants of land in perpetuity.

The Court of Directors are averse to grants of land in perpetuity, and I entirely agree with them, because such grants are contrary to the usage of the country, and are in many respects objectionable. In this country, under the native governments, all grants whatever are resumable at pleasure. Official grants are permanent while the office continues, but not always in the same family. Grants for religious and charitable purposes to individuals or bodies of men, though often granted for ever, or while the sun and moon endure, were frequently resumed at short intervals. Grants of jágírs or inám lands from favour or affection, or as reward for services, were scarcely ever perpetual. It was rare that any term was specified, and never one or more lives; but it made usually little difference whether the grant was for no particular period or perpetual. The áltamghá perpetual grant was as liable to resumption as any common grant containing no specification of time. It was resumed because it was too large, or because the reigning sovereign disliked the adherents of his predecessor and wished to reward his own at their expense, and for various other causes. There was no rule for the continuance of grants, but his pleasure. They might be resumed in two or three years, or they might be continued during two, three, or more lives, but where they escaped so long, it was never without a revision and renewal. I believe that the term of three lives is a longer period than grants for services were generally permitted by the native princes to run, and it is only on that account that I agree to a specification of time unknown in

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native grants. As we must keep our cowles or engagements, we must take care not to make them too long.

Objections to grants of perpetual pensions on the land revenue.

I do not object to the perpetual enjoyment of the fruit of his own labour by the grantee or jágírdár: on the contrary, I think that he and every man ought to have it; not, however, under a particular cowle, but under the general regulations of Government, by a fixed and moderate land-rent. But what has been proposed by the Board of Revenue to be given to the jágírdár, is not so much a grant for the fruit of his own industry, as for that of the industry of others, and for giving for ever what is called a pension on the land revenue. If, for instance, we give him, at a nominal quit-rent, a village which now pays a revenue of Rs. 2000, and has besides uncultivated land rated at Rs. 3000 annual revenue; if at the end of three lives the occupant or proprietary ryots should have cultivated Rs. 1000, in addition to their former Rs. 2000, of land, and the jágírdár Rs. 1000, making a total of Rs. 4000 in cultivation—if we then, as proposed by the Board of Revenue, continue to give him the village at the original revenue of Rs. 2000, we give him the Rs. 1000 arising from the additional land cultivated by the ryots, as a perpetual pension, and the Rs. 1000 cultivated by himself, as a landed estate without purchase, and entirely exempted from public rent.

This is not, as supposed, similar to the case of a man who improves his estate being allowed to enjoy the profit without any additional assessment, because the whole of the revenue is paid by the occupant ryots; the jágírdár pays none, nor ever paid any.

In this country all land is separately assessed or liable to assessment. But it is only that portion which is cultivated, which pays revenue to Government. In the above village, rated at Rs. 5000, the revenue was only Rs. 2000, because land rated at Rs. 3000 was uncultivated. Had the whole been cultivated, the village would have paid Rs. 5000. It is worth this without any improvement. It merely requires to be cultivated in the ordinary way. There can, therefore, be no claim for improvement, when none has been made. But were the jágírdár to improve and make the portion of land cultivated by himself, and originally assessed at Rs. 1000, worth Rs. 2000 or 3000, he would be entitled to all the surplus beyond the original Rs. 1000 as the reward of his improvement.

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A village having no waste land ought never to be given in jágír; because as the jágírdár would have no land of his own, he would endeavour to get possession of some of that which belonged to the ryots, and there can be no doubt that the influence derived from his situation would often enable him to accomplish his purpose by improper means. The jágír ought to be given in villages having waste land. The jágírdár will in this case, by the help of the exemption from the payment of revenue during two or three lives, and by the exertion of a moderate share of industry, be able in that time to bring into cultivation and to improve a considerable quantity of waste land. On the expiration of the third life, when the exemption from the payment of revenue ceases, he will continue to hold this land at the original assessment imposed upon it in its former state, and he will enjoy all increase above this standard which it may yield in consequence of his improvements, and he will be answerable only for the assessment on his own land: that of the other lands of the village will be collected from the ryots in the same way as before the grant of the jágír.

A village with no waste land should never be given in jágír.

By this plan every jágírdár will, at the end of the third life, be in possession of a landed property more or less valuable, according to the skill and industry which may have been employed in its improvement, and this is, I think, giving them every advantage which they can reasonably expect.

The natives do not like the limitation to three lives in the grant, because their own grants specify no limitation. I would be glad to omit it, if it could be done without affecting the conditions of the grant. It could only be done by making a regulation that all such grants should terminate in three lives, and specifying no term in the grant itself. But until we shall have ascertained from experience that this or some other mode is less objectionable than that now in force, it will be advisable to adhere to it and enter the limitation in the grant.

The limitation of jágírs to three lives on the whole expedient.

Jágírs should be granted only for very meritorious services; for services less eminent money pensions are the proper reward. All jágírs ought to be for the same period of three lives: should instances occur in which this may be thought too long, it would be better rather to lessen the amount than to shorten the duration. If the jágírs be brought every year to view as a charge against the department, there can be no

Jágírs should only be given for very meritorious services.

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danger of their being allowed to increase to an unreasonable magnitude. Even if they went on at the rate of 12,500 pagodas in twelve years, as noticed by the Honourable Court, they could never exceed sixty or at most seventy thousand pagodas, which does not appear to me to be too much to be given in jágír for distinguished services throughout the whole of the extensive provinces under this Presidency. The jágír would seldom last above sixty years, because the original grantee would be advanced in life before he could entitle himself to the grant, and sixty years is hence a long term to allow for his life and that of his two successors, and sixty or seventy thousand pagodas may therefore be considered as a high estimate of the maximum charge.

Terms of the grant.

I shall now state the points which ought to form the outline of the cowle or grant:—

1st. The grant should be for three lives.

2nd. It should give the sirkár rights only, and be exclusive of all private rights.

3rd. After the termination of the third life all exemptions of rent in favour of the jágírdár should cease.

4th. The heir of the jágírdár should then no longer collect or be responsible for the revenue of the village; that duty should revert to the potail or head of the village.

5th. The heir of the jágírdár should, however, be entitled to retain all private landed property in the village which he may have lawfully acquired, and also all sirkár land which he may have brought into cultivation or improved, at the same rate of assessment as the land may have borne previous to improvement, or, where no previous assessment may have been made, at the rate which may be usual for such unimproved land in the neighbourhood.

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ON THE EURASIAN POPULATION.

24th November, 1824.

Reasons for not granting an allowance to Eurasian wives of European soldiers.

The proposed allowance to half-caste wives and children of European soldiers is in my opinion highly objectionable. The expense will be great beyond what we can foresee, and we shall be embarrassed by the accelerated increase of a race for whom we cannot provide, and whom we shall have taught by indulgence not to provide for themselves. We have now for above forty years had in this country a large body of European soldiers, and seen its effect on the half-caste population. It has augmented it, but not very materially, nor so rapidly as to hinder its finding the means of subsistence with the partial aid of charitable institutions. This is its condition under our present system. But if we change this system for one of giving a permission not only upon marriage, but upon the number of children, we shall encourage the production of a great and helpless population, and increase a hundredfold by our ill-judged humanity the distress it was meant to diminish. If we suppose that a half or a third of the European soldiers marry half-caste women, there will be in India ten to fifteen thousand wives with their children to maintain at the public charge. But this is not all—there will in twenty years be several successions, because the number of men will be renewed two or three times over in twenty years. The whole body of men, by means of recruits from Europe, will always be in the full vigour of life, adding fresh families to the general mass long before the first set are half grown up; so that in twenty years, in place of the wives and families of ten or twelve thousand, we shall have those of twenty or thirty thousand men. If the

evil stopped here, we should see its extent; but this will not be the case, for we shall still have upon our hands, after the fourteen years, a great proportion of the children who have attained that age. It is in vain to say that they must then cease to be a charge; for after having taught them to depend upon us for fourteen years, it will not be so easy to shake them off. Our indulgence will make their parents neglect the means which would otherwise have been taken, of obliging them to seek a livelihood at an early age for themselves. Though many of the children will, no doubt, be taught to do so, a still greater number will remain dependent upon us; and in order to furnish some partial relief, we shall be compelled to extend the practice, which has already been too far pursued, of forcing them into the public offices and various employments connected with the army, to the exclusion of better men and the injury of the service.

Question of what can be done for Eurasians.

It may be said, is nothing then to be done for this class of people? I answer, nothing more than is done by the aid of charitable institutions. It is the best course, not only on the score of economy, but also on that of humanity. It is easy to appeal to humanity; but it is often the harsh duty of Government to resist its call, and never was more so than on the present occasion. If we leave the half-caste people to themselves, they will go on as they have done for the last forty years, increasing slowly, according to their means of subsistence. They will seek employment as servants, mechanics, shopkeepers, and merchants in the towns and villages on the sea-coast. When there is no longer room for them there, succeeding generations will be forced to look for a subsistence as bullock-men, peons, labourers, and ryots. This is what has happened to the descendants of the Portuguese on the west coast, and there is no reason why the same thing should not happen to the descendants of English soldiers, if it be not prevented by imprudent interference.

* * * * * *

Future prospects of the Eurasian community.

I have already stated my sentiments on the allowance to half-caste women and children. The measure would in time lead to so much distress, and is altogether so extravagant and impolitic, that I should consider myself as wanting in my duty if I did not earnestly recommend to the Honourable Court not to sanction it in any shape or in any degree, but to

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reject it entirely. In speaking of the half-caste population, I have chiefly spoken of them as depending on us, not as what they would be if left to themselves, but as what they are made by our injudicious interference. If we limit our care of them to the support of schools, and leave them in everything else to their own exertions, they will become a numerous, industrious, and useful race of men; but they must expect, like any other great population, to have among them every gradation of condition, from independence and affluence to poverty and hard labour. They are at present, as far as regards the means of living, in better circumstances than the people of England. Comparing them with an equal number of the people of England, there are among them a smaller proportion subjected to extreme poverty, and a greater who live comfortably. This may last while their number is small and employment easily found, but it must gradually cease as they become numerous, and they must then, like every other great community, have their full proportion of poor. There is no cause why they should not by their own exertions become a thriving people. They are not at present so well qualified as the Hindus for hard labour, but they will gradually acquire the habit of labour from necessity; and they have the advantage of having fewer prejudices and a better education, and this advantage of education will always continue. The influence of the superior schools at the Presidency will extend to those at a distance, and the acquisition of knowledge will no doubt be encouraged both by the aid and example of the most respectable part of their own community.

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ON THE ESTABLISHMENT OF IRON WORKS.

30th December, 1824.

Mr. Heath's proposal of exporting Indian iron to Europe for making steel.

I HAVE delayed giving my opinion on the request submitted by Mr. Heath in his letter of the 27th October last, until I should have ascertained from a personal communication with that gentleman the precise nature of the exclusive privileges he required. Having now satisfied myself that there is nothing in them which may not with propriety be granted, I have no hesitation in recommending Mr. Heath's plan of establishing iron works in the Company's territories in India. Mr. Heath states that the iron ore is of the best quality and in great abundance in this country, and that there is great facility in raising it; that the samples sent to England by him have been declared to be equal to the best foreign iron for making steel; that in England they have never yet been able to manufacture iron fit for making steel, but are entirely dependent for that article on foreign iron; that 12,000 tons, the quantity of iron imported into England last year, could easily be supplied from this country and at a cheaper rate; that iron works in this country would not interfere with the produce of England, because English bar iron, which is used here for all purposes except steel making, can be sold at from £12 to £14 per ton, and that it would therefore be more profitable to send Indian iron home to contend with Swedish and other foreign iron; that it is a national object to supply Britain from her own territory with an article which cannot be produced at home; and that steel made from Indian iron being better than that made from Swedish or Russian iron, it would be highly beneficial to both countries, more especially when Madras has

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so few returns to make for articles from Europe, that England should be supplied with iron for steel making from India.

Privileges solicited in the establishment of iron works.

The privileges which Mr. Heath solicits in order to enable him to accomplish this object are as follows:—

1st. An exclusive grant of the right of establishing iron works in the Company's territories in India during the remaining term of the charter. This grant to extend to the three Presidencies, and to prevent the establishment of iron works similar to those in Europe by any person, native or European, except himself.

2nd. A lease for the remaining term of the Company's charter of the right of cutting fuel on sirkár waste land, and raising ore at such mines as he should erect works at.

It is not intended that this lease should interfere with any rights now possessed by the natives of cutting wood or raising ore; but that he should have in common with them the right of supplying himself with the raw materials rent free, but paying the usual duty upon the manufactured produce.

3rd. Authority to rent land which produces the materials necessary for his manufacture, such as jungle and iron ore, from zemindars, poligars, and other landholders; but without prejudice to any right of common which might belong to the inhabitants of the neighbourhood in the ore or jungle.

This privilege of renting from landholders, though not mentioned by Mr. Heath to Government, has been stated to me by him as an omission which he wished to be provided for. It is a privilege which has occasionally been granted to Europeans, and to which in the present instance I see no objection.

Reasons for granting the exclusive privileges until 1833.

Mr. Heath has already gone to a considerable expense in this project, and to prosecute it successfully he must embark a large capital and relinquish his hopes in the civil service. These considerations, however, ought to have no weight, if the scheme cannot be supported on public grounds. But as it may in my opinion be regarded, not only as a public but as a national object, it appears deserving of every encouragement. I should be adverse to the exclusive privilege now solicited, were it to interfere with any established rights on the profits of any trade in iron likely to be undertaken. But there is no chance of its causing any such interference. The richness of the ores of Salem and of other districts has been

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known above thirty years, without anything having been done to extend their produce; and unless some advantage be held out to the person who attempts to render them useful, they will probably at the end of thirty years more be as much neglected as now. It is therefore better that there should be a monopoly for a time, in order to establish the manufacture successfully on a large scale, than that we should refuse this encouragement and look idly on for an indefinite period in the vain hope that some adventurer will establish the manufacture without requiring any exclusive privilege.

I therefore propose that the request of Mr. Heath be transmitted to the Honourable Court of Directors, with the earnest recommendation of the Board that they will take such measures as may be deemed proper for obtaining for Mr. Heath the exclusive privilege which he solicits.*

* The privileges recommended in the foregoing Minute were granted to Mr. Heath, who formed a company and opened iron works in the districts of South Arcot, Salem, and Malabar. The works were in operation for thirty years, but eventually had to be closed, owing principally to the difficulty of obtaining adequate supplies of fuel, and certain and continuous supplies of cheap native labour.

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APPOINTMENT OF A NATIVE JUDGE AT SERINGAPATAM.

6th April, 1827.

THE appointment of Mr. Casamajor to the office of Resident at Mysore seems to present a fit occasion for revising the local administration of Seringapatam, which the great changes which the place has undergone, have for some time past rendered every day more necessary. The great importance of Seringapatam, when it fell into our hands, required that its civil administration should be vested in a European officer. But since that time, from the fall of the Poona State and other causes, it has lost almost all its political and military importance. It is no longer a principal military station: its garrison consists only of a part of a local corps. Its numerous population, originally drawn together by its having been the seat of Government, has been for many years dispersing itself over the country, and the part which is left, is still diminishing every day from the want of employment and the insalubrity of the climate. Diminished importance of Seringapatam.

Under these circumstances, I am of opinion that the employment of a civil servant exclusively for the management of the civil duties of Seringapatam is unnecessary. I think that the island of Seringapatam should be annexed to the Collectorate of Coimbatore; that all judicial authority in the island should be entrusted to an intelligent native; that his jurisdiction should extend over the districts of Kollegál and Sattimangalam; that he should exercise all the powers, civil and criminal, of an Assistant Judge, and that his court should remain at Seringapatam until it can be conveniently removed to Kollegál. Proposal to annex Seringapatam to the Collectorate of Coimbatore, the judicial work being entrusted to a native judicial officer.

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Reasons for appointing a native Judge.

Seringapatam itself is extremely unhealthy, and we are not sure that Kollegál is favourable to the European constitution. It is therefore desirable for this cause alone, even if there were no other, that natives, who are less liable to suffer from the climate, should be employed instead of Europeans. Should the experiment in the present instance prove successful, as I am confident it will, the employment of native Judges may then, by degrees, be extended to some other remote and unhealthy districts, such as Súnda, and in time to every place where their services may be useful.

Expediency of entrusting natives with higher duties.

At present the highest native officers in the Judicial Department act immediately under the eye of the European Judge. The highest native judicial officer, who is entrusted to act for himself at a distance from the Judge, is the district munsif. But his situation is a very subordinate one. In criminal matters he has no jurisdiction, and in civil it is limited to suits of five hundred rupees. The district munsifs, by their general good conduct, have become a very important part of our judicial system. They have fully realized all the expectations which were formed of their utility, and the public benefit which has resulted from their employment, ought of itself to be a sufficient motive for our availing ourselves of the services of natives in a higher judicial station than that of district munsif. That office, though no doubt respectable, is still very subordinate, and ought to be rather the beginning than the limit of native promotion. We ought to look forward to a time when natives may be employed in almost every office, however high, and we ought to prepare them gradually for such a change, by entrusting them with higher duties from time to time, in proportion as experience may prove their being qualified to discharge them.

Advantages of the measure.

The employment of natives in high offices will be as much for our own advantage as for theirs. It will tend both to the economy and efficiency of the administration of public affairs. Every time that a native is raised to a higher office than had before been filled by any of his countrymen, a new impulse will be given to the whole establishment: the hope of attaining the higher office will excite emulation among those who hold the inferior ones, and improve the whole. But this improvement will take place in a much greater degree when the new office is one of a high and independent nature, like that of a

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judge: the person who is appointed to it will be conscious that he enjoys some share in the administration of the affairs of his country—he will feel that his own rank and character have been elevated by his having been selected for the high office which he holds, and his feeling will pervade every class of the department to which he belongs. I do not mean to say that we are not to expect misconduct in a native judge. We shall certainly meet with it in him, as in all classes of public servants, and when we do, it must be punished by dismissal; but this ought not to discourage us from continuing the office, for I am convinced that the instances of misconduct will not be numerous, that they will become rarer every day, and that they will weigh nothing in comparison with the advantages to be derived from the employment of native judges.

Native judge should have the powers of an Assistant Judge.

I think that the native judge ought to have all the powers of an Assistant Judge, because to give him less would not answer the purpose, either of enabling us to withdraw the European Judge from Seringapatam, or to make the experiment of improving the native branch of the Judicial Department by the employment of a native judge; and because it would lead to unnecessary embarrassment and confusion, by involving the necessity of creating a new office with judicial authority different from that of any other existing judicial officer; whereas by giving him the same power as an Assistant Judge, his office will differ from that of the Assistant Judge merely in having jurisdiction over a smaller territory.

Salary proposed.

As the native judge will receive no fees, his pay, in order to be suitable to his station and to render his office an object of ambition to all native judicial servants, ought not to be less than five hundred rupees per month.

Mode of appointment.

The selection for the office of native judge should be made by the Provincial Court, or by the Sadr Adálat, from among the district munsifs or the officers of the courts, according as the person best qualified may be found among the one or the other.

It would perhaps be advisable that all prisoners committed for trial by the native judge should be sent to the jail of Coimbatore or Salem, because it would greatly extend the distance of the circuit and prolong its duration were the Court

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of Circuit to visit Kollegál or Seringapatam. It is, in fact, only the prisoners belonging to Seringapatam who have ever been tried anywhere else than at Salem or Coimbatore, and the Seringapatam prisoners would be less liable to sickness in the jail of either of these places than in their own.

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ON THE EMPLOYMENT OF NATIVES IN THE PUBLIC SERVICE.

31st December, 1824.

It is strange to observe how many men of very respectable talents have seriously recommended the abolition of native, and the substitution of European agency to the greatest possible extent. I am persuaded that every advance made in such a plan would not only render the character of the people worse and worse, but our Government more and more inefficient. The preservation of our dominion in this country requires that all the higher offices, civil and military, should be filled with Europeans; but all offices that can be held by natives without danger to our power, might with advantage be left to them. We are arrogant enough to suppose that we can, with our limited numbers, do the work of a nation. Had we ten times more, we should only do it so much worse. We already occupy every office of importance. Were we to descend to those that are more humble, and now filled by natives, we should lower our character and not perform the duties so well. The natives possess, in as high a degree at least as Europeans, all those qualifications which are requisite for the discharge of the inferior duties in which they are employed. They are in general better accountants, more patient and laborious, more intimately acquainted with the state of the country and the manners and customs of the inhabitants, and are altogether more efficient men of business. Comments upon proposals for substituting European for native agency in the public service.

Unless we suppose that they are inferior to us in natural talent, which there is no reason to believe, it is much more likely that they will be duly qualified for their employments than Europeans for theirs, because the field of selection is so Field of selection much greater among the native than among the European

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community in India.

much greater in the one than in the other. We have a whole nation from which to make our choice of natives; but in order to make choice of Europeans, we have only the small body of the Company's covenanted servants.

Alleged dishonesty of native officials, not incapable of being checked. Proposed remedy of employing larger numbers of Europeans in subordinate offices not likely to be efficacious.

If it be admitted that the natives often act wrongly, it is no reason for not employing them: we shall be oftener wrong ourselves. What we do wrong is not noticed, or but seldom and slightly: what they do wrong meets with no indulgence. We can dismiss them and take better men in their place: we must keep the European because we have no other, or perhaps none better, and because he must be kept at an expense to the public, and be employed some way or other, whatever his capacity may be, unless he has been guilty of some gross offence. But it is said that all these advantages in favour of the employment of the natives are counterbalanced by their corruption, and that the only remedy is more Europeans with European integrity. The remedy would certainly be a very expensive one, and would as certainly fail of success, were we weak enough to try it. We have had instances of corruption among Europeans, notwithstanding their liberal allowances; but were the numbers of Europeans to be considerably augmented, and their allowances, as a necessary consequence, somewhat reduced, it would be contrary to all experience to believe that this corruption would not greatly increase, more particularly as Government could not possibly exercise any efficient control over the misconduct of so many European functionaries in different provinces, where there is no public to restrain it. If we are to have corruption, it is better that it should be among the natives than among ourselves, because the natives will throw the blame of the evil upon their countrymen: they will still retain their high opinion of our superior integrity, and our character, which is one of the strongest supports of our power, will be maintained. No nation ever existed in which corruption was not practised to a certain extent by the subordinate officers of Government: we cannot expect that India is in this point to form an exception. But though we cannot eradicate corruption, we may so far restrain it as to prevent it from causing any serious injury to the public interest. We must for this purpose adopt the same means as are usually found most efficacious in other countries: we must treat the natives

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with courtesy, we must place confidence in them, we must render their official situations respectable, and raise them in some degree beyond temptation, by making their official allowances adequate to the support of their station in society.

Exclusion of natives from all but the lowest offices, degrading to the native character.

With what grace can we talk of our paternal government, if we exclude the natives from every important office, and say, as we did till very lately, that in a country containing fifteen millions of inhabitants, no man but a European shall be entrusted with so much authority as to order the punishment of a single stroke of a rattan. Such an interference is to pass a sentence of degradation on a whole people, for which no benefit can ever compensate. There is no instance in the world of so humiliating a sentence having ever been passed upon any nation. The weak and mistaken humanity which is the motive of it, can never be viewed by the natives as any just excuse for the disgrace inflicted on them by being pronounced to be unworthy of trust in deciding on the petty offences of their countrymen. We profess to seek their improvement, but propose means the most adverse to success. The advocates of improvement do not seem to have perceived the great springs on which it depends: they propose to place no confidence in the natives, to give them no authority, and to exclude them from office as much as possible; but they are ardent in their zeal for enlightening them by the general diffusion of knowledge.

Improvement of the natives of India hopeless, if they are excluded from all share in the government of their country.

No conceit more wild and absurd than this was ever engendered in the darkest ages; for what is, in every age and every country, the great stimulus to the pursuit of knowledge, but the prospect of fame, or wealth, or power? or what is even the use of great attainments, if they are not to be devoted to their noblest purpose, the service of the community, by employing those who possess them, according to their respective qualifications, in the various duties of the public administration of the country? How can we expect that the Hindus will be eager in the pursuit of science, unless they have the same inducement as in other countries? If superior acquirements do not open the road to distinction, it is idle to suppose that the Hindu would lose his time in seeking them; and even if he did so, his proficiency, under the doctrine of exclusion from office, would serve no other purpose than to show him more clearly the fallen state of himself and his

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countrymen. He would not study what he knew would be of no ultimate benefit to himself: he would learn only those things which were in demand, and which were likely to be useful to him, namely, writing and accounts. There might be some exceptions, but they would be few. Some few natives living at the principal settlements and passing much of their time among Europeans, might, either from a real love of literature, from vanity, or some other cause, study their books; and if they made some progress, it would be greatly exaggerated, and would be hailed as the dawn of the great day of light and science about to be spread all over India. But there always has been, and always will be, a few such men among the natives, without making any change in the body of the people. Our books alone will do little or nothing: dry simple literature will never improve the character of a nation. To produce this effect, it must open the road to wealth, and honour, and public employment. Without the prospect of such reward, no attainments in science will ever raise the character of the people.

The result would be the same as regards the English in similar circumstances.

This is true of every nation, as well as of India. It is true of our own. Let Britain be subjugated by a foreign power to-morrow; let the people be excluded from all share in the Government, from public honours, from every office of high trust and emolument, and let them in every situation be considered as unworthy of trust, and all their knowledge and all their literature, sacred and profane, would not save them from becoming, in another generation or two, a low-minded, deceitful, and dishonest race.

The attempt to carry on the administration by means of European agency alone, both politically and morally wrong.

Even if we could suppose that it were practicable, without the aid of a single native, to conduct the whole affairs of the country, both in the higher and in all the subordinate offices, by means of Europeans, it ought not to be done, because it would be both politically and morally wrong. The great number of public offices in which the natives are employed, is one of the strongest causes of their attachment to our government. In proportion as we exclude them from these, we lose our hold upon them, and were the exclusion entire, we should have their hatred in place of their attachment: this feeling would be communicated to the whole population and to the native troops, and would excite a spirit of discontent too powerful for us to subdue or resist. But were it

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possible that they could submit silently and without opposition, the case would be worse; they would sink in character, they would lose, with the hope of public office and distinction, all laudable ambition, and would degenerate into an indolent and abject race, incapable of any higher pursuit than the mere gratification of their appetites. It would certainly be more desirable that we should be expelled from the country altogether, than that the result of our system of government should be such a debasement of a whole people. This is, to be sure, supposing an extreme case, because nobody has ever proposed to exclude the natives from the numerous petty offices, but only from the more important offices now filled by them. But the principle is the same, the difference is only in degree; for in proportion as we exclude them from the higher offices and a share in the management of public affairs, we lessen their interest in the concerns of the community and degrade their character.

The advantages of our government to the natives of India not unaccompanied by disadvantages.

If we make a summary comparison of the advantages and disadvantages which have occurred to the natives from our government, the result, I fear, will hardly be so much in its favour as it ought to have been. They are more secure from the calamities both of foreign war and internal commotions; their persons and property are more secure from violence; they cannot be wantonly punished, or their property seized, by persons in power, and their taxation is on the whole lighter. But, on the other hand, they have no share in making laws for themselves, little in administering them, except in very subordinate offices; they can rise to no high station, civil or military; they are everywhere regarded as an inferior race, and often rather as vassals or servants than as the ancient owners and masters of the country.

Foreign government must depress the national character.

It is not enough that we confer on the natives the benefits of just laws and of moderate taxation, unless we endeavour to raise their character; but under a foreign government there are so many causes which tend to depress it, that it is not easy to prevent it from sinking. It is an old observation, that he who loses his liberty, loses half his virtue. This is true of nations as well as of individuals. To have no property, scarcely degrades more in one case, than in the other to have property at the disposal of a foreign government in which we have no share. The enslaved nation loses the privileges

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of a nation, as the slave does those of a freeman: it loses the privilege of taxing itself, of making its own laws, of having any share in their administration or in the general government of the country. British India has none of these privileges: it has not even that of being ruled by a despot of its own; for to a nation which has lost its liberty, it is still a privilege to have its countryman and not a foreigner as its ruler. Nations always take a part with their government, whether free or despotic, against foreigners. Against an invasion of foreigners the national character is always engaged, and in such a cause the people often contend as strenuously in the defence of a despotic, as of a free government. It is not the arbitrary power of a national sovereign, but subjugation to a foreign one, that destroys national character and extinguishes national spirit. When a people cease to have a national character to maintain, they lose the mainspring of whatever is laudable both in public and in private life, and the private sinks with the public character.

Notwithstanding, we should endeavour to raise it.

Though under such obstacles the improvement of character must necessarily be slow and difficult, and can never be carried to that height which might be possible among an independent people, yet we ought not to be discouraged by any difficulty from endeavouring, by every means in our power, to raise it as far as may be practicable in the existing relative situation of this country to Britain.

Advantages which the natives of India enjoyed under native governments.

One of the greatest disadvantages of our government in India is its tendency to lower or destroy the higher ranks of society, to bring them all too much to one level, and, by depriving them of their former weight and influence, to render them less useful instruments in the internal administration of the country. The native government had a class of richer gentry, composed of jágírdárs and inámdárs, and all the higher civil and military officers. These, with the principal merchants and ryots, formed a large body, wealthy, or at least easy in their circumstances. The jágírs and ináms of one prince were often resumed by another, and the civil and military officers were liable to frequent removal; but as they were replaced by others, and as new jágírs and ináms were granted to new claimants, these changes had the effect of continually throwing into the country a supply of men whose wealth enabled them to encourage its cultivation and manu-

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factures. These advantages have almost entirely ceased under our government. All the civil and military offices of any importance are held by Europeans, whose savings go to their own country; and the jágírs and ináms which are resumed, or which lapse to Government, are replaced only in a very small degree. We cannot raise the native civil and military officers to their former standard and also maintain our European establishment, but we can grant jágírs to meritorious native servants more frequently than has been our custom; and we can do what is much more important to the country, we can place the whole body of the ryots on a better footing with regard to assessment than they ever have been before, and we can do this without any permanent sacrifice of revenue, because their labour is productive, and will in time repay the remission of rent by increased cultivation. The custom of all the sons inheriting equal shares of the father's property was, among all Hindus, a great obstacle to the accumulation of wealth; and among the ryots the high rate of assessment was an additional obstacle. Few ryots could ever, even in the course of a long life, acquire much property from the produce of their lands; but many of their leading men or heads of villages had, under the native governments, other ways of acquiring it. They leagued with the revenue servants in underrating the produce and the collections, and as they were necessary to them in this work, they received a share of the embezzlement.

Whenever the government dues were paid in kind, the facilities for fraud were greatest, and the principal ryots have therefore, on this account, usually opposed every attempt to convert a rent in kind into a money assessment.

Natives should be excluded from no offices in which they can be employed consistently with the preservation of European control.

This source of wealth still, no doubt, remains, but in a very small degree in comparison with what it was under the native governments. We are more exact and rigid in enforcing our demands, and it is therefore the more incumbent on us to see that our assessment is so moderate as to be easily collected, and to enable the people to thrive under it. We have of late years done something to raise the condition of the natives by the appointment of the higher judicial and revenue officers, and of the munsifs or district judges, who have an original jurisdiction to the amount of five hundred rupees. We may do much to raise it still more by gradually admitting the

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natives into more important offices, both in the Revenue and Judicial Departments, and excluding them from none in which they can be employed consistently with the due preservation of European control.

We should carefully consider the probable result of our measures upon the character of the people.

There is one great question to which we should look in all our arrangements: What is to be their final result on the character of the people? Is it to be raised, or is it to be lowered? Are we to be satisfied with merely securing our power and protecting the inhabitants, leaving them to sink gradually in character lower than at present; or are we to endeavour to raise their character, and to render them worthy of filling higher situations in the management of their country, and of devising plans for its improvement? It ought undoubtedly to be our aim to raise the minds of the natives, and to take care that whenever our connection with India might cease, it did not appear that the only fruit of our dominion there, had been to leave the people more abject and less able to govern themselves than when we found them. Many different plans may be suggested for the improvement of their character, but none of them can be successful, unless it be first laid down as a main principle of our policy, that the improvement must be made. This principle once established, we must trust to time and perseverance for realizing the object of it. We have had too little experience, and are too little acquainted with the natives, to be able to determine without trial what means would be most likely to facilitate their improvement. Various measures might be suggested, which might all probably be more or less useful; but no one appears to me so well calculated to insure success as that of endeavouring to give them a higher opinion of themselves, by placing more confidence in them, by employing them in important situations, and perhaps by rendering them eligible to almost every office under Government. It is not necessary at present to define the exact limit to which their eligibility should be carried, but there seems to be no reason why they should be excluded from any office for which they were qualified, without danger to the preservation of our own ascendency.

We should not be discouraged by difficulties or by the slow progress of our reforms.

Liberal treatment has always been found the most effectual way of alleviating the character of many people, and we may be sure that it will produce a similar effect on that of the people of India. The change will no doubt be slow; but that

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is the very reason why no time should be lost in commencing the work. We should not be discouraged by difficulties; nor, because little progress may be made in our own time, abandon the enterprise as hopeless, and charge upon the obstinacy and bigotry of the natives the failure which has been occasioned solely by our own fickleness, in not pursuing steadily the only line of conduct on which any hope of success could be reasonably founded. We should make the same allowances for the Hindus as for other nations, and consider how slow the progress of improvement has been among the nations of Europe, and through what a long course of barbarous ages they had to pass before they attained their present state. When we compare other countries with England, we usually speak of England as she is now—we scarcely ever think of going back beyond the Reformation; and we are apt to regard every foreign country as ignorant and uncivilized, whose state of government does not in some degree approximate to our own, even though it should be higher than our own was at no very distant period.

We should not regard India as a temporary possession.

We should look upon India, not as a temporary possession, but as one which is to be maintained permanently, until the natives shall in some future age have abandoned most of their superstitions and prejudices, and become sufficiently enlightened to frame a regular government for themselves, and to conduct and preserve it. Whenever such a time shall arrive, it will probably be best for both countries that the British control over India should be gradually withdrawn. That the desirable change here contemplated may in some after age be effected in India, there is no cause to despair. Such a change was at one time in Britain itself at least as hopeless as it is here. When we reflect how much the character of nations has always been influenced by that of governments, and that some, once the most cultivated, have sunk into barbarism, while others, formerly the rudest, have attained the highest point of civilization, we shall see no reason to doubt that if we pursue steadily the proper measures, we shall in time so far improve the character of our Indian subjects as to enable them to govern and protect themselves.

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THE EDUCATION OF THE NATIVES OF INDIA.

2nd July, 1822.

Expediency of obtaining information regarding the state of education in the country.

MUCH has been written, both in England and in this country, about the ignorance of the people of India and the means of disseminating knowledge among them. But the opinions upon this subject are the mere conjectures of individuals, unsupported by any authentic documents, and differing so widely from each other as to be entitled to very little attention. Our power in this country, and the nature of its own municipal institutions, have certainly rendered it practicable to collect materials from which a judgment might be formed of the state of the mental cultivation of the people. We have made geographical and agricultural surveys of our provinces. We have investigated their resources and endeavoured to ascertain their population; but little or nothing has been done to learn the state of education. We have no record to show the actual state of education throughout the country. Partial inquiries have been made by individuals, but those have taken place at distant periods and on a small scale, and no inference can be drawn from them with regard to the country in general. Some districts will not, but others probably will, furnish such a record; and if we get it only from two or three, it will answer in some degree for all the rest. It cannot be expected to be very accurate, but it will at least enable us to form an estimate of the state of instruction among the people. The only record which can furnish the information required, is a list of schools in which reading and writing are taught in each district, showing the number of scholars in each and the caste to which they belong. The

Nature of the information to be called for.

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Collectors should be directed to prepare this document according to the form which accompanies this paper. They should be desired to state the names of the books generally read at the schools, the time which scholars usually continue at such schools, the monthly or yearly charge to the scholars, and whether any of the schools are endowed by the public, and if so, the nature and amount of the fund. When there are colleges or other institutions for teaching theology, law, astronomy, etc., an account should be given of them. These sciences are usually taught privately, without fee or reward, by individuals to a few scholars or disciples, but there are also some instances in which the native governments have granted allowances in money and land for the maintenance of the teachers.

In some districts reading and writing are confined almost entirely to Brahmans and the mercantile class. In some they extend to other classes, and are pretty general among the potails of villages and principal ryots. To the women of Brahmans and Hindus in general they are unknown, because the knowledge of them is prohibited, and regarded as unbecoming of the modesty of the sex and fit only for public dancers. But among the women of the Rajbandah and some other tribes of Hindus, who seem to have no prejudice of this kind, they are generally taught. State of education varies in different districts.

The prohibition against women learning to read, is probably, from various causes, much less attended to in some districts than in others; and as it is possible that in every district a few females may be found in the reading schools, a column has been entered for them in the form proposed to be sent to the Collector. The mixed and impure castes seldom learn to read, but as a few of them do, columns are left for them in the form. Especially the state of female education.

It is not my intention to recommend any interference whatever in the native schools. Everything of this kind ought to be carefully avoided, and the people should be left to manage their schools in their own way. All that we ought to do, is to facilitate the operations of these schools by restoring any funds that may have been diverted from them, and perhaps granting additional ones where it may appear advisable. But on this point we shall be better able to judge when we receive the information now proposed to be called for. We should confine ourselves to aiding the schools by grants of money.

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Statement of the Number of Native Schools and Colleges in each Collectorate, and of the Number of Scholars.

Name of Collectorate.	Schools and Colleges.		Brahman Scholars.			Vaisya Scholars.			Sudra Scholars.			All other Castes.			Grand Total, Nos. 4 to 15 inclusive.			Mussulman Scholars.			Total Hindus and Mussulmans.			Total Population.			
		Number.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	
N. Arcot ...	Schools ...	100																									[Where no previous census has been made, the estimated population to be inserted.]
	Colleges ...	None.																									
S. Arcot ...	Schools ...																										
	Colleges ...																										
[Enter the other Collectorates as above.]																											

ON THE SAME SUBJECT.

10th March, 1826.

THE Board of Revenue were directed by Government, on the 2nd of July, 1822, to ascertain the number of schools and the state of education among the natives in the provinces, and with their letter of the 21st February last, they transmitted the reports on this subject which they had received from the several Collectors. From these reports it appears that the number of schools and of what are called colleges, in the territories under this Presidency, amounts to 12,498, and the population to 12,850,941, so that there is one school to every 1000 of the population. But as only a very few females are taught in schools, we may reckon one school to every 500 of the population. Estimated number of schools and scholars in the Madras Presidency.

It is remarked by the Board of Revenue that of a population of 12½ millions there are only 188,000, or one in 67 receiving education. This is true of the whole population, but not as regards the male part of it, of which the proportion educated is much greater than is here estimated; for if we take the whole population, as stated in the report, at 12,850,000, and deduct one-half for females, the remaining male population will be 6,425,000; and if we reckon the male population between the ages of five and ten years, which is the period which boys in general remain at school, at one-ninth, it will give 713,000, which is the number of boys that would be at school if all the males above ten years of age were educated; but the number actually attending the school is only 184,110, or little more than one-fourth of that number. I have taken the interval between five and ten years of age as the term of education, because though many boys continue at school until Proportion of boys attending school to the population.

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twelve or fourteen, many leave it under ten. I am, however, inclined to estimate the portion of the male population who receive school education to be nearer to one-third than one-fourth of the whole, because we have no returns from the provinces of the numbers taught at home. In Madras the number taught at home is 26,963, or above five times greater than that taught in the schools. There is probably some error in this number; and though the number privately taught in the provinces does certainly not approach this rate, it is no doubt considerable, because the practice of boys being taught at home by their relations or private teachers is not unfrequent in any part of this country. The proportion educated is very different in different classes. In some it is nearly the whole; in others it is hardly one-tenth.

State of education, though low, higher than it was in most parts of Europe at no distant period. Main causes of the low state of education.

The state of education here exhibited, low as it is compared with that of our own country, is higher than it was in most European countries at no very distant period. It has, no doubt, been better in earlier times; but for the last century it does not appear to have undergone any other change than what arose from the number of schools diminishing in one place and increasing in another, in consequence of the shifting of the population from war and other causes. The great number of schools has been supposed to contribute to the keeping education in the low state, because it does not give a sufficient number of scholars to secure the services of able teachers. The monthly rate paid by each scholar is from four to six or eight annas. Teachers in general do not earn more than six or seven rupees monthly, which is not an allowance sufficient to induce men properly qualified to follow the profession. It may also be said that the general ignorance of the teachers themselves is one cause why none of them draw together a large body of scholars. But the main causes of the low state of education are the little encouragement which it receives from there being but little demand for it and the poverty of the people.

Need of a body of well-instructed teachers.

These difficulties may be gradually surmounted. The hindrance which is given to education by the poverty of the people may in a great degree be removed by the endowment of schools throughout the country by Government, and the want of encouragement will be remedied by good education being rendered more easy and general, and by the preference which

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will naturally be given to well-educated men in all public offices. No progress, however, can be made without a body of better instructed teachers than we have at present. But such a body cannot be had without an income sufficient to afford a comfortable livelihood to each individual belonging to it. A moderate allowance should therefore be secured to them by Government, sufficient to place them above want: the rest should be derived from their own industry. If they are superior both in knowledge and diligence to the common village schoolmasters, scholars will flock to them and augment their income.

What is first wanted, therefore, is a school for educating teachers, as proposed by the committee of the Madras School Book Society in the letter of the 25th October, 1824, which accompanied their second report. I think that they should be authorized to draw Rs. 700 monthly from the treasury for the purposes which they have stated, viz. for the payment or interest of money employed in building and the salaries of teachers 500, and for the expenses of the press 200. **Proposed school for training teachers at Madras.**

I would next propose that Government should establish in each Collectorate two principal schools, one for Hindus and the other for Mahomedans, and that hereafter, as teachers can be found, the Hindu schools might be augmented so as to give one to each tahsildári, or about fifteen to each Collectorate. We ought to extend to our Mahomedan the same advantages of education as to our Hindu subjects, and perhaps even in a greater degree, because a greater proportion of them belonged to the middle and higher classes. But as their number is not more than one-twentieth of that of the Hindus, it will not be necessary to give more than one Mahomedan school to each Collectorate, except in Arcot and a few other Collectorates, where the Mahomedan population is considerably above the usual standard. **Proposed schools in the provinces.**

We have twenty Collectorates. The number of tahsildáris is liable to change, but it will be sufficient for the present purpose to estimate them at fifteen on an average to each Collectorate, or three hundred in all. This would, according to the plan proposed, give about forty Collectorate and three hundred tahsildári schools. The monthly salaries of the teachers of the Collectorate schools might on an average be fifteen rupees to each, and those of the tahsildári nine **Estimated cost of the measure.**

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rupees to each. These allowances may appear small; but the tahsildári schoolmaster, who receives nine rupees monthly from Government, will get at least as much more from his scholars, and, considering all circumstances, his situation will probably be better than that of a parish schoolmaster in Scotland.

The total expense of the schools will be as follows:—

Madras School Book Society per month	...		Rs.	700
Collectorate schools, Mahomedan	...	20 at 15	„	300
Ditto Hindu	...	20 at 15	„	300
Tahsildári schools	...	300 at 9	„	2,700
		Per month		4,000
		Per annum		48,000

The expense will be gradual and inconsiderable, and will be amply repaid by the improvement in the condition of the people.

This expense will be incurred only by degrees, because it will be long before a sufficient number of qualified teachers can be obtained. The charges for the Madras School Book Society, and the Collectorate schools, are all that will probably be wanted before the sanction of the Honourable Court can be received. The sum for which we ought to request their sanction, ought not to be less than half a lakh of rupees. None of the endowments in the Collectors' reports are applicable to the present object. They do not exceed Rs. 20,000 in all, and only a small portion of them are public grants, and this small portion belongs chiefly to teachers of theology, law, and astronomy. Whatever expense Government may incur in the education of the people, will be amply repaid by the improvement of the country; for the general diffusion of knowledge is inseparably followed by more orderly habits, by increasing industry, by a taste for the comforts of life, by exertion to acquire them, and by the growing prosperity of the people.

A committee of public instruction should be appointed.

It will be advisable to appoint a committee of public instruction in order to superintend the establishing of the public schools, to fix on the places most proper for them, and the books to be used in them; to ascertain in what manner the instruction of the natives may be best promoted, and to report to Government the result of their inquiries on this important subject.

Rapid results not to be expected.

We must not be too sanguine in expecting any sudden benefit from the labours of the School Book Society. Their

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disposition to promote the instruction of the people by educating teachers, will not extend it to more individuals than now attend the schools. It can be extended only by means of an increased demand for it, and this must arise chiefly from its being found to facilitate the acquisition of wealth or rank, and from the improvement in the condition of the people rendering a larger portion of them more able to pay for it. But though they cannot educate those who do not seek or cannot pay for education, they can, by an improved system, give a better education to those who do receive it, and by creating and encouraging a taste for knowledge, they will indirectly contribute to extend it. If we resolve to educate the people, if we persevere in our design, and if we do not limit the schools to tahsildáris, but increase their number so as to allow them for smaller districts, I am confident that success will ultimately attend our endeavours. But at the same time I entirely concur in the opinion expressed in the Fifth Report of the Calcutta School Book Society, when speaking of the progress of the system, that 'its operations must, therefore, 'of necessity be slow; years must elapse before the rising 'generation will exhibit any visible improvement.'

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PROPER MODE OF DEALING WITH CHARGES AGAINST NATIVE OFFICIALS.

30th May, 1826.

The case of a native official suspended by a Collector for misconduct.

The Board of Revenue, in their proceedings regarding the suspension of the head serishtadár, Jivan Ráo, by the Collector of Tinnevelly, have entered so fully into every part of the subject, as well with respect to the conduct of the Collector as to the nature of the evidence and the extent to which the charges had been proved, as to render it scarcely necessary for the Board to do more than to approve and confirm these proceedings.

Impropriety of the mode in which the Collector dealt with his charges.

One of the most remarkable circumstances attending the charges against the serishtadár, is the readiness with which the Collector seems to believe them, and the eagerness with which he seeks evidence to establish them through the means of a person not belonging to the province, and whose dealings in it ought to have rendered his information liable to the strongest suspicion, if not to total disbelief. The Board of Revenue, in speaking of this person, very justly observe that, 'if the Collector communicates freely and directly, as he ought 'to do, with all his servants and the people generally, no exten'sive frauds can long escape his detection, and the gratuitous 'interference of such persons as Vengu Mudali will therefore 'be as useless as it is dangerous.' The Collector, in replying to the Board of Revenue, justifies his availing himself of the services of Vengu Mudali by what had formerly occurred in Coimbatore, when abuses reached to the greatest height before they were brought to light by the servants of the office. The Collector is mistaken in supposing that his argument is supported by the case of Coimbatore. In that district the

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abuses were known to everybody but the Collector, and were not known to him, only because he did not communicate freely and directly with servants and the people generally.

The whole of the charges, four in number, are brought forward by persons under the influence of Vengu Mudali, or more properly by Vengu Mudali himself. The Collector states that he received his first information of the abuses from this man. He describes him as a respectable merchant, and considers himself fortunate in meeting with a man who had the courage to expose corruption. No respectable merchant would have interfered in such matters. It is contrary to all experience to find such a man doing so, but it is quite consistent with the character of an adventurer and of an intriguing revenue contractor, to find him turning informer and instigating accusation.

Unsatisfactory character of the source from which the charges emanated.

Besides the suspicious nature of the evidence, there are general grounds for doubting the truth of the charges. No sufficient motive is shown for the parties giving, or the serishtadár's receiving the bribes. The two tahsildárs gain nothing by paying the serishtadár; their situation becomes worse and worse, and at last they are dismissed without his ever taking a single step to save them, which it might have been expected he would have done where his own safety was so much connected with theirs. Had he been corrupt, he would not have ventured to have taken from such people. Had he taken money from others, there would have been numerous charges against him from all quarters after his confinement and suspension. No such charges having been made is a circumstance strongly in favour of his general integrity.

General grounds for doubting the truth of the charges.

* * * * * *

The Collector appears to have taken a wrong view of the question from the beginning, and to have considered it as one between the serishtadár and the tahsildárs by whom he was accused, instead of one, as it really was, between himself and the serishtadár. As far as it merely regarded the giver and taker of bribes, it was but of trivial importance; but as it regarded the principal European and native revenue officers in the district, it was of the utmost consequence. The Collector was himself, in fact, both the accuser and the judge, and the person most interested in the issue of the inquiry, because on it was to depend whether or not he was to lose the

The Collector should have scrutinized the charges carefully before instituting public proceedings upon them.

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benefit of the assistance of so experienced a servant as the serishtadár. He ought, therefore, to have been very cautious in believing the charges, and to have satisfied himself by the most minute scrutiny that they were well founded, before he instituted any public proceeding upon them. Nothing of this kind, as far as can be gathered from the reports before us, appears to have been done; but, on the contrary, the inquiry seems to have been hurried on, as if it had been desirable that the serishtadár should be found unworthy of his station. The charges are supported by depositions, some of which are little more than answers to leading questions. There is no cross-questioning. There is even, in some cases, where several persons were employed between the parties, no examination of them as witnesses. In these cases the Collector might easily, by carefully examining and questioning the witnesses separately, have ascertained whether the charge was true or false, and he ought to have done this privately before he took any open steps against the serishtadár; because, after exposing him to a public trial, even if the charges were proved to be totally groundless, he could never repair the injury, which, not only the character of the serishtadár, but of his own administration, would have suffered. The Collector says that the serishtadár was at liberty to have cross-questioned the witnesses, but that he never sought to do it. This, however, was not sufficient. The Collector was not trying, as a judge, a case between plaintiff and defendant, but was examining whether his principal native servant was a proper person to continue to hold that office, and he ought therefore to have taken the most likely means of establishing this point by cross-questioning himself the witnesses against the serishtadár, as well as those in his favour.

Harsh treatment of the accused official.

The removal of the serishtadár from his house, and the separating him from his family, were acts of great harshness and altogether unnecessary. He might with perfect safety have been allowed to remain undisturbed: greater extremities could hardly have been requisite had he been engaged in a conspiracy against the peace of the country. The imposition of such an enormous fine as 4000 rupees would have been an oppressive measure, even if the charges had been proved in the clearest manner; but it becomes infinitely more so when we see on how little foundation they rest.

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The Regulation no doubt authorizes the levying double the amount of the money corruptly received from the public servant who receives it, but a Regulation cannot in every case be carried to its extreme length without the greatest injustice. In the present instance, had we been perfectly satisfied of the serishtadár's guilt, I should have thought dismissal from office, either without a fine, or with a very trifling one, a sufficient punishment. But as I see no proof of any one of the charges, I concur in the opinion of the Board of Revenue that the amount levied from Jivan Ráo should be repaid to him with interest. It were to be wished that he could at the same time be restored to his office, but after what has passed there is too much reason to apprehend that the Collector and he would never act cordially together, and that the public interests would in consequence suffer materially. The Board of Revenue might, however, be requested to give this subject their consideration.

Evil of habitual suspicion in a public officer.

Nothing is more extraordinary in the Collector's proceedings than his never appearing to doubt any of the charges, and he gives up the third, only because an *alibi* is proved. He seems to have considered himself as surrounded by a combination formed by the influence of the serishtadár to prevent his receiving true information regarding the affairs in his district. Vigilance is an excellent quality in a Collector, but none is worse than habitual suspicion, because it destroys all confidence between him and those who act under him, and obliges him to trust to designing strangers. The influence of Vengu Mudali is strongly shown by the Collector's own letter, where he states that Vengu Mudali requested him to continue the tahsildár, Rámaya, in office, and that he employed Vengu Mudali's peons to watch the serishtadár, because he could not trust his own.

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APPENDIX A.

PROCLAMATION IN THE NAME OF THE AGRICULTURISTS, MERCHANTS, AND OTHER INHABITANTS OF THE DISTRICT OF TRIPATUR.*

10th December, 1796.

RULE 1.—*Objects of the survey.*

Whereas your district has been surveyed, and the rents of it fairly ascertained, in order to secure to the Sirkár its dues, and to the industrious the advantages that accrue from the improvement of land, it is proposed to effect these salutary purposes by the following Regulations.

RULE 2.—*General divisions of lands.*

The assessment of all lands that were assessed and farmed out at the time of the survey, being fixed, they are in future to be denominated *putkutt-nellam*, or 'holdings,' and those which, not being then assessed and farmed out, remained, *nagadi-nellam*, or 'rateable lands.'

RULE 3.—*Of lands permanently rated.*

The 'putkutt-nellam' being measured and valued, the assessment of every individual field in it, when at the full rate, is *fixed for ever;* that is to say, the Government is never to require more, or receive less, nor you to pay less or more, than the present rate, unless when those fields actually 'dry' shall hereafter be converted into 'wet' by the constructing of tanks, cutting of canals, or other means that may hereafter be undertaken at your desire or with your consent, but at the expense of the Government, when the rates will be proportionably raised, according to the consequent increase of the produce, and in like manner *fixed for ever.* But if you carry on such works at your own expense; plant topes of palmyras, cocoa-nut, tamarind, mango, orange, lime, or plantain trees; gardens of betel-nut, betel-leaf, sugar-cane, or any other such productions, on which a high rent has been formerly exacted, you may depend on receiving the advantages accruing from these, and from every other improvement of your lands, while you continue to pay the established rates; those constituting, except in the case above mentioned, the annual demand upon them, on the part of the Sirkár, *for ever.* Upon these principles, you may rent out

* These are the Regulations referred to in the second note on page 1, vol. i.

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lands, which you may raise in value by tillage and manure, at rates greatly exceeding the Sirkár rates, if there be a demand for them, while you will continue to pay the fixed rates to the Sirkár for ever.

RULE 4.—*Of lands changeably rated.*

The 'nagadi-nellam' being measured by meadows or tracts, divided at some places only into fields, and no rent put on it, because cultivation alone gives it value, it will be divided off into fields as demanded, when the rates of it will be determined according to its actual state and the corresponding proportions of the average rates of the village to which it may belong. The assessment of the nagadi of villages in which there is little or no cultivation will be regulated by the average rates of the three nearest villages. The nagadi-nellam is generally divided on account of the variable properties acquired by cultivation, exclusive of its inherent qualities, into fallow and waste; and the former into seven descriptions, corresponding with the number of years it may have been unoccupied at the time of valuation.

As arable land is supposed rather to recover, than to lose its productive power, by lying one year fallow, and to lose it from being a longer time unoccupied, each description is to be rated as follows:—For one year's fallow, full assessment the first, and every year after; for two years' fallow, fourteen-sixteenths of the assessment the first, full assessment the second, and every succeeding year; for three years' fallow, twelve the first year, fourteen-sixteenths the second, and full assessment the third year; for five years' fallow, eight the first year, eleven-sixteenths the second, and full assessment the third year; for six years' fallow, six the first, nine-sixteenths the second, and full assessment the third year; and for seven years' fallow, four the first year, eight-sixteenths the second, and full assessment the third year. Moreover, as it is supposed that, by the time lands have been seven years fallow, they lose so much of the vegetative property they acquire by cultivation, as to approximate to the state of such as never have been cultivated, all that may be fallow a greater number of years, and all banjar or waste lands whatever, are to be rated the same; that is, one-quarter the first, one-half the second, and full assessment every succeeding year.

RULE 5.—*Of taxes included in the land revenue.*

The quit-rent of all 'inám' lands is to continue till the end of the current year (Fasli 1206), as at the time of the survey. All taxes levied upon castes and articles of the land-custom included in the land-rent, to remain as at the time of survey, to the end of the current year (Fasli 1206); that is, every caste or trade is to be required to pay, jointly, the same amount for the year, which will be more or less than they then paid individually, according as their number has increased or decreased while they will altogether con-

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tribute the same they did that year to Government; for which purpose, those of every village must occasionally meet to assess themselves, and not leave it to their head merchants, chetties, potails, or others, to regulate their share. Such articles as are commonly farmed out, will be given in rent to the highest bidders by the munsifs and curnums, with the sanction of the Collector, by whose pattah they will be held in farm.

RULE 6.—*Rates to be exacted of the cultivating classes.*

The above rates of assessment being generally equal to one-third of the 'punji' or dry, and two-fifths of the 'nanji' or wet crops, in money, and these being the portions of the produce which the ryots who divided the crops have always paid to the Government or Sirkár, their immediate lessors, they are on that account to be required of all ryots who are inhabitants of the Company's districts. As many ryots may desire to cultivate unoccupied lands after the season for sowing the principal crops usually grown in every description of the soil, from which it derives the greatest share of its value, is past, and when there is only time left to sow the inferior kinds of grain in each, only twelve-sixteenths of the ordinary assessment of the dry, and eleven-sixteenths of the wet land, will be required for fields that may be rented after the 10th October to the end of the year.

RULE 7.—*Rates to be exacted where the land is held by castes that do not cultivate themselves.*

As there are castes who farm, and, being under the necessity of employing the ryots whose occupation is agriculture, to cultivate their lands, cannot afford the ordinary rates, four-fifths only of the ground-rent shall be required of them. This indulgence will be exclusively extended to all Brahmans, whose caste does not admit of their holding the plough, and to all persons who can prove their having served the Company as sepoys twenty years; because they are unaccustomed to labour. It will likewise be granted to such other persons as the Collector may think entitled to it from their condition, and may have stock to employ in farming. But lands so disposed of, are only to continue on such favourable terms while the original grantees may occupy them, and to be resumed by the Government whenever they part with them, that they may be included again with other lands that pay the full assessment. As these individuals thus favourably treated may be bribed to defraud the Sirkár by procuring lands in their name for others, whoever shall be convicted of doing so, they and their accomplices, shall be fined a year's rent of the lands so obtained, and banished the district.

RULE 8.—*Rates to be exacted of refugees.*

As encouragement for refugees from the Carnatic or Balaghát to settle in the Company's territory, only half the ordinary assess-

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ment will be required of them for three years, or such other period for which lands may be granted them. The increase of population inducing this measure, ten acres of the 'dry,' and two and a half of the 'wet' land, will be given for every two ploughs or ryots; that is, half of each description for every one ryot; and in the same proportions for any number. The condition of granting lands on these terms being the grantees' residing in the Company's district, they will not be continued to any other who may purchase the lease, unless the grantee and all the ryots who immigrated with him, or an equal number, and proved to be his followers, remain in the ceded district. As a further inducement for aliens to come and live under the Company's government, the principal of every party that comes shall have the headmanship of any village he may prefer, provided the number of ploughs he may bring with him be equal to a quarter of the ploughs actually belonging to it; that there be unoccupied lands sufficient in it for the additional number of hands; and that he be qualified for that situation. If incompetent, or he should not desire it, any other person of the number, for whom the party may declare a preference, shall be appointed. As strangers from other districts belonging to the Company may pretend to have immigrated from the Carnatic or Balaghát, in order to procure lands so much underrated, whosoever shall be found guilty of such fraud, or connive at it, shall be fined a year's rent of the lands so obtained, and punished besides with the utmost severity.

Rule 9.—*Rates to be exacted of mulberry, etc., planters.*

The Company being desirous to introduce the manufacture of silk and other valuable productions, only one-sixteenth of the ordinary rates of assessment will be required for lands growing the mulberry, the Mauritius cotton, the opuntia, black pepper, coffee, cinnamon, cardamums, sandal, or other exotic plants, for the first seven years; and after that, only half of those rates, while they continue to grow them. That being the express condition of their tenure, when such lands are appropriated to the culture of native productions, it shall be considered an infringement of the engagement on the part of the grantee, and he shall consequently be required to pay their ordinary rates for the period they may have been so appropriated. Any person who shall procure lands professedly for the culture of exotics, but designedly for native productions, thus defrauding the revenue, shall forfeit the produce, be fined a year's rent at the ordinary rates, and banished the district.

Rule 10.—*Of annual farmers and leaseholders.*

The period for which you may severally choose to rent lands, depending on a variety of circumstances, and distinctions being necessary to your understanding the condition of your respective

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tenures; those who agree to hold them from year to year, or for the space of one year only, are to be denominated 'annual tenants,' and those who agree to hold them for a number of years, or during the present lease, 'leaseholders.'

Rule 11.—*The conditions of tenure of annual tenants.*

The improvement of land depending on the means employed for the purpose during a succession of years, every annual holder, who may cultivate certain fields any one year, shall be allowed the privilege of occupying them the year following, and so long as he shall continue to pay regularly the established rent of them; so that such obligations as he shall enter into with the Sirkár, relative to farms, shall be considered as no longer binding upon *him*, than from their dates to the end of the current year, but as binding upon the Government to the end of the present lease. He must not, however, quit his village till he answers all demands upon him for the terms of the year.

Rule 12.—*The condition of tenure of leaseholders.*

Whoever, from thinking it will add to the security of their possession, or desiring to avoid the trouble of annual stipulations, shall desire to have pattahs for the whole, or for part of their land, in lease for a term of years, will in like manner be allowed the privilege of occupying them, while they continue to pay regularly the established rent; but these obligations must be considered as *mutually* binding from their dates to the end of the lease, unless they procure persons who will enter into the obligations expressed in the lease, and pay up the assessment for the term thereof.

Rule 13.—*Time prescribed for the settlement of annual tenure.*

Since the obligations entered into between the Sirkár and the yearly tenants are binding upon them for the current year only, to the end that they may extend or reduce their farms according to their circumstances, by retaining or rejecting certain fields, as they may choose, from year to year, that makes it necessary for them always to declare, during the ploughing season, what they intend to cultivate, that mutual agreements be exchanged as hereafter directed, and the rents of every farm duly collected.

Rule 14.—*Time prescribed for the settlement of lease tenure.*

As leaseholders will often desire to cultivate more lands than they may hold in lease, by the addition of some fields to their farms on annual tenure, it will be equally necessary for them, under such circumstances, to declare, during the ploughing season, what they intend to cultivate, that, mutual obligations for the current year being entered into with them on account of such lands, their rents thereon may also be registered as productive to revenue for the year.

Rule 15.—*Penalties for ploughing land without previously engaging to pay its rent.*

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Whoever, having already ploughed their lands, shall neglect to report the same to their head of the village, shall be fined half the assessment, and whoever shall, after the publishing of this proclamation, proceed to cultivate lands without previously receiving a written permission, shall be deprived of the produce, or, if they should not be sown, an eighth of the assessment thereon.

RULE 16.—*The whole rent of every field to be required of whoever may plough a part of them.*

As some fields of the putkutt are left partly fallow, by reason that the poorer ryots, from want of means, cannot plough the whole; and many objections occur to the subdivision of them into plots for their accommodation, you are enjoined to occupy such fields only as you may be able to cultivate entirely; for whoever shall hereafter plough any part of a field in the putkutt, shall be required to pay the rent of the whole. The rateable land being generally in larger portions, it will be parcelled out and measured, at the time of demand, in such portions as may be desired by the candidates.

RULE 17.—*Mode of application for lands.*

All persons who desire lands to cultivate, must apply in the first instance to the heads of the village they prefer, in which they see land unoccupied, when, if permanently assessed land, they will be informed of its fixed rent; and if 'rateable,' of its assessment for the year, or portion of the average assessment of the village, according to the number of years it may have been uncultivated; or, if the village be deserted, according to the average rates of the three neighbouring villages. The next step, when they resolve to settle, is to require the heads of the village to draw out mutual agreements, specifying the said rates, field by field, for each description of land, and the condition of tenure. If of the cultivating classes, it only remains for them to sign the obligation-bonds, and give them to the munsif, who will deliver them the 'pattahs' or grants, on their receiving the Collector's signature; but if of the privileged classes, they must take the pattahs and bonds to the Collector, with such persons as may be necessary to satisfy him of the propriety of granting them the indulgent terms held out to them respectively; when, if he approve, he will sign and give them the pattahs, which will specify that a fifth of the amount will be required of those holding by virtue of their castes, half of 'emigrants,' and a sixteenth of 'totakars;' and they will then deliver the bonds or counterpart of their grants, binding them to the performance of their engagements.

RULE 18.—*Mode of obtaining advances for cultivation, etc.*

RULE 19.—*Farmers who desire it, permitted to throw up their leases the current year.*

As all the permanently assessed land of your districts was

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entirely disposed of in lease when the survey was made, these Regulations may seem to apply to it but partially; but as many of you, from inexperience of leases, have taken more lands in lease than you have been able to cultivate every year, and suffered, in consequence, from inability to pay up the rents of such fields as you have been obliged to leave uncultivated, it is now determined to absolve you of all engagements you entered into that year, to the end that after due consideration of your circumstances, you may rent as many fields as you think you will be able to cultivate every year in lease, and as many as you may choose to cultivate for the current year only on annual tenure.

RULE 20.—*The performance of future engagements indispensable.*

Though a consideration for your condition has induced the putting it again in your own power to accommodate yourselves, it must be understood that this indulgence is not to apply to land you may have already cultivated in the current year; for, the rent being fixed upon every field of the permanently assessed land, and that of every one in the 'rateable' being easily ascertained by the rules now laid down for that purpose, whoever ploughs a field must pay the rent of it, whether previously stipulated or not, for the current year; and whoever stipulates for one or any number of fields, must pay their rent, whether he ploughs them or not, for the period of his engagements.

RULE 21.—*Ryots to be individually answerable for the rents of their own holdings.*

The first step you take towards settling in any village must be the demanding of its heads a pattah for the lands you choose, and the giving them bonds binding yourselves to be individually answerable for the rent thereon by instalments, as may be stipulated in the revenue accounts.

RULE 22.—*Ryots to be jointly answerable for the amount of the total assessment on the village.*

RULE 23.—*Mode by which ryots must indemnify themselves for advances thus made on account of defaulters.*

RULE 24.—*All the ryots' contracts to be committed to writing.*

RULE 25.—*Between ryots in partnership.*

RULE 26.—*Between ryots and their under-tenants.*

RULE 27.—*Between masters and their servants.*

RULE 28.—*Such written engagements the only legal claim upon the persons or property of the cultivators.*

RULE 29.—*Of contracts for tank repairs.*

The Government, and the country in general having sustained great losses by those whose duty it is to repair them, allowing the tanks to go entirely to ruin from the want of repairs, it is hereby resolved that whoever shall fail any one year to make the requisite repairs to the embankments, the land given him to defray the ex-

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penses thereof shall be escheated and annexed to the Government lands. As the non-performance of this contract might proceed from inability, any such person, who shall apply to the Collector for the means, shall be supplied with money at the usual rate of interest: should his agent neglect during his absence the tank intrusted to his charge, so as to incur the above forfeiture, absence shall not be admitted as entitling him to a restoration of the land, or any alleviation.

LETTER FROM COLONEL READ TO THE ASSISTANT COLLECTORS, BARAMAHAL AND SALEM.

Gentlemen,

I have been delayed in writing you concerning the Board's letter of the 30th ultimo by the same cause that prevented my doing it at the time copies were sent you.

It is between two or three years since I began to perceive, by the constant fluctuation in agriculture and annual demand for remissions, the effects of the survey and our settlements in lease, and, as appears by my correspondence with you on matters intimately connected with them, they have uniformly been the subjects of my attention and inquiry.

Having stated, now a twelvemonth ago, the necessity of our declaring, upon our finishing the survey, by what means the objects of our appointment, *a permanent revenue to Government and the fruits of industry to the ryots, might be secured under a settlement in lease,* and recommended those matters to your serious consideration, I have no doubt of your being able, by this time, to comply with the request I then made, which was to be soon favoured with your sentiments upon them.

My communications on the present settlements and mode of management have heretofore been confined to the business of realizing them with the least inconvenience to the ryots, or, more emphatically and truly, without severity and (in some cases) without injustice. They have been confined, in short, to the functions of a mutasiddi, or mere Collector. But now that we are called upon for our sentiments on the effects and permanency of our present assessments, I feel desirous of extending your views beyond the narrow limits of Indian policy which too evidently pervades our system, to one more liberal and conducive to the general prosperity. I therefore request that you take this opportunity of bringing forward any measure or plan of reform you may have in meditation, as we may suppose the affairs of these districts will

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shortly be taken into consideration and a final arrangement for them determined on.

In this, I only request you to follow the example I have so often set you, and hoped ere this to have repeated, by circulating a form in which I intended to state every question that has occurred to me respecting the land rent, with proposed annotations for subjects of general discussion, in order to procure your sentiments on each, a free communication of knowledge and experience being the most approved method of ascertaining facts and devising the best rules of policy. Anxious to finish investigations I have still on hand, in time for adopting certain measures in our settlements the current year, and not expecting to be pressed for our reports upon the lease, I have been induced to defer the drawing up the propositions I have mentioned, and my state of health does not enable me to go sufficiently into a subject that requires so much consideration.

Under these circumstances I only request now, in the words of the Board, that, so far as relates to the obtaining system, 'you 'afford any explanations that may occur to you as necessary, 'relative to the state of your respective charge, and the effects that 'have been therein produced by the present assessment, together 'with your sentiments on the ultimate and more important objects 'in view, the permanent settlement of the district,' with a reference to—

1. *The poverty of the inhabitants in general.*
2. *Frequency of their removals.*
3. *Fluctuation of stock.*
4. *Precariousness of the crops.*
5. *Fluctuation in the price of grain.*
6. *Present high rental, which generally affords no other reward to the cultivator than the wages of labour.*
7. *Consequent cheapness of the land.*
8. *Smallness of farms in general.*
9. *Constancy of change in the number and extent of farms from the necessity of augmenting and reducing them every year,* in proportion to the number of hands, the stock, the health and strength of the cultivators, and from the frequency of their throwing up the farms.
10. *Constraining all the ryots, without exception, to rent their farms a number of years,* whether agreeable or not to their inclinations or interest, which is indispensable to settle a whole district in lease.
11. *Constraining them after that, however reduced in their circumstances, to perform such forced engagements* to make the settlement permanent.
12. Necessity of remissions, even under annual settlements, when their farms are proportioned to their circumstances at the beginning of the year, and which must be greater under *lease*

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settlements, because the same rent being demanded after any reduction of their stock, their inability must accumulate with the term of the lease.

13. *Want of landed security*, because, the land not yielding in general any profits of stock under the present assessment, it is worth nothing, unless to the cultivator, who can only earn his bread by his labour.

14. *The consequent necessity of making securities pay up the rents of defuncts and absentees*, which is hard, or of *obliging the ryots of villages to pay them*, which is unjust.

15. *Removal of head farmers' and increase of small ones*, consequences of reducing the profits of farming by the increase of the rental, or exacting the whole of the ground rent, which is properly the farmer's, in place of a portion of it, for Government.

16. *The necessity that involves of Government* (that is, its officers) *conducting the affairs of husbandry* by prescribed and fixed rules, which, not applying to all times and circumstances, are detrimental to agriculture.

17. *The loss which will be felt by the petty farmers or labouring poor, in times of scarcity, from the want of the head farmers*, who used to supply them with grain, and doubtless preserved many of them, when, if without such aid, they would have perished, the not having which now at hand must be detrimental to population.

18. *Increase of the public revenue*, which is a lakh more than Tippoo's village rental in 1788–89, when it was higher than it had ever been before, and probably is double what was ever brought into the public treasury—an increase which must be a proportional deduction of private income, and not only a consequent reduction of the capital formerly employed in agriculture, but equally a loss to trade and manufactures.

19. *Consequent extension of Government's interest in agriculture*, which gives it a greater property in the produce than any other government has been known to have, which involves its concerns with those of every individual, because there is not, generally speaking, any intermediate class of the inhabitants between it and the cultivators, which creates the difficulty of recovering lawful debts, and the settling other disputes, without interference with it, and annoyance to the Collector, so that such an immersion of the public into private affairs is detrimental to the administration of justice.

20. *Multiplication of labour which such an extension of Government's concerns occasions to its servants*, and which must increase demands upon the Collector's time, or oblige him to delegate authority to others.

21. *Inefficacy of delegated authority*, from the want of moderation, zeal, or ability, and oftener from the abuse of it, which indicates that the conduct of agriculture should be left to the

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husbandmen, who can yield to all times and circumstances; the administration of justice to persons who are not concerned in their awards; and that the functions of revenue officers should be limited to their own province, the only means of which appears to be the reduction of the present rental, as that alone can give value to land, and make way for that middle order of men which is found in all civilized societies.

These, or their opposites, are the points by which, it appears to me, the nature and effects of our present assessment, and of the settlements in lease, must be determined, on which account I wish reference to be made to them in your reports. I must specially observe that, in doing so, some of them must be considered as only applying to the state of the country in general, and that it is left for you to determine the application of them to particular districts. They appear to me so connected with, and important to, the objects in view on which your sentiments are desired, that I wish them to be severally made the subject of particular consideration, and in the succession they are placed, for the convenience of adding my remarks, which the Board will expect, and I shall have great pleasure in giving; for it is my anxious wish to satisfy all doubts relative to the survey, to remove all objection to our assessment, and to have a mode of settlement established in these districts, by superior authority, before I resign my charge.

Though I have signified a desire that you adopt the above, as a form, for the explanations required, I do not propose that your discussions shall be confined to the matter it contains, but hope that you will furnish much additional information on the grand objects of inquiry, and throw new lights upon them, for none admit of a greater range, and perhaps they never have been treated by persons possessing your minute and local knowledge, experience, and ability. I wish, however, if you go far into the subject, that you begin as low as you can, and that you ascend in analytical progression, because revenue and all things on which it depends connect, making *a whole*, and positions are earliest admitted when their natural connection is observed and they are founded on facts previously established.

I request that statements of your settlements for the term of the lease may be transmitted with your reports, in the accompanying form; for though annual statements have been made of some districts since they were surveyed, and it be doubtful that the settlements of others in lease will be continued so for the term proposed, it is necessary to lay a general statement of them before the Board, as showing completely the progress of the survey, the rise of the settlements in every district to their height, and the intended periods of their lease.

You will, of course, attend to the request of the Board that it

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may have our reports soon, and I have only to add, as one from myself, that you send me in, by that time, some of your village registers of the survey, which will supply me with what is required for the district registers, and general statements, all of which we may be assured will afford the Board peculiar satisfaction.*

I am, etc.,

(Signed) ALEXANDER READ,
Superintendent Collector.

Tripatúr, 25th July, 1797.

* Read's capacity as an administrator must not be judged of by his style of writing. The high estimate in which he was held, not only by Munro, but by Lord Cornwallis and Lord Wellesley, is sufficient evidence that he possessed an ability which it is perhaps difficult to discern in the awkward and involved language of the foregoing letter. The letter is inserted here, because the questions which it contains, form the subject of Munro's letter of 5th September, 1787, printed on pp. 23–54, vol. i.

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APPENDIX B.

ON A PERMANENT SETTLEMENT OF CANARA.

After having given my sentiments as to the amount of the assessment that ought to form the basis of the permanent settlement, it now only remains to offer a few observations on the mode which it would be most eligible to follow, in dividing the country into estates, so as both to promote improvement and ensure the collection of the revenue. In countries where private property in land is unknown, because the whole is the property of Government, and where the general poverty of the cultivators disables them from making any improvement, the dividing the land into estates of about five or six thousand pagodas public rent, and giving them away, or disposing of them for a price to men of property, where such can be found, may possibly have some advantages; but in Canara, where almost all land is private property, derived from gift or purchase, or descent from an antiquity too remote to be traced, where there are more title deeds, and where the validity of these deeds has probably stood more trials than all the estates in England, great proprietors cannot be established, without annihilating all the rights of the present landlords; nor do I believe that, by any arrangement for placing a number of small estates under the collection of one head landlord, any facility in collection, or any security for revenue, would be obtained, that may not be obtained from letting the estates remain as they now stand.

It may be objected that the smallness of estates, involving as a consequence want of property, incapacitates the owners from bestowing upon them the due degree of culture, and subjects the public revenue to frequent failures; but I am convinced that these objections are groundless. If we wish to introduce a system that shall be permanent, we must consider not only what the state of property now is, but also what it is likely to be hereafter. The benefits expected to result from the formation of large estates are no doubt, the saving of detail in accounts; the improvement of the country; and the security of revenue, from the lands being in the possession of a few wealthy owners, instead of a great number of wealthy cultivators. Supposing that the system of great estates

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does really produce all these advantages, they can only be temporary; for where there are no entails nor artificial restraints on the transfer of lands, where there are no exclusive rights of primogeniture, where the progress of population is urged on by early marriage and abundance of food, and where it is common to supply, by adoption, the want of children, every great estate must in a short time be divided into a number of small ones. A widely extended division of property is the point to which things are of themselves continually hastening, and to which they must finally arrive, unless obstructed by violent regulations. Superior industry, several successions concentrating in one person, or other causes, may keep up a few large estates; but such instances will be rare, and will bear no comparison to those of the small ones, which will be continually formed by the operation of unrestrained transfer, and of division among all the sons of every succeeding generation. Small estates may, therefore, be considered as the arrangement of nature. To think of dividing Canara into great estates, would only be attempting to carry it backwards a century or two, and forcing it from that state to which it must again inevitably return. The effect of the Bengal system on the provinces of the Coromandel coast, and probably on Bengal itself, will be no more than, after a long course of time, to make the condition of the great body of the inhabitants that which those of Canara now is.

With respect to the expediency of having great substantial landholders, who may be responsible to Government for the revenue, there seems to be no reason to conjecture that it might not be collected, with equal ease and regularity, from small proprietors. A tyrannical government has drained the resources of this country, and left the inhabitants less able than they formerly were to cultivate their land; but the same evil would have taken place, and in a much greater degree, had the lands been divided among great owners of estates of from five to ten thousand pagodas each; because it would have been much easier to have impoverished the country by extorting an exorbitant assessment from a few who possessed all its wealth, than it would have been, had it been divided among a multitude of small proprietors. Though there can be no very rich owners where estates are small, yet the aggregate produce of the land may be, and probably always is, greater than when the whole belongs to a few principal landholders; and Government have, therefore, a greater fund as a security for their revenue.

It may be said that there must be a certain limit, beyond which estates cannot be subdivided, without leaving so little surplus a rent as to be insufficient for the subsistence of the landlord, and that he would then be forced to withhold a part of the public demand, in order to make up the difference. Should such a case ever happen, the remedy might always be found in selling the

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estate: the very existence of the case, however, supposes a fullness of population not likely to be soon experienced, and which, if it were, would compensate in a thousand ways for such accident.

The division of lands in Canara, however it may have affected individuals, does not seem ever to have injured the public revenue. Though it has no doubt sometimes reduced the descendants of independent landlords to the rank of tenants, and even of labourers, it has most likely, by employing more labour, increased the gross produce of the soil; it has not disabled the owners from providing for every expense which the best cultivation requires. It has diminished their property, but it has also, in the same proportion, diminished the lands which they are to cultivate with that property; and by confining their personal management to a narrower space, it has rendered it more efficacious. The wealth accumulated in the hands of great proprietors may be supposed to enable them to undertake extensive improvements, and to carry on agriculture with a spirit beyond the power of petty landholders; but even allowing what may be doubted, that the wealth of a great landholder is greater than the aggregate wealth of a number of small proprietors whose estates together are equal in extent to his, it is not likely to be so productive; for it never can be managed with either so much skill or economy. Whatever superiority he may have over them in fortune, is more than counterbalanced by the deep interest which every one of them feels in looking after his little spot, and by the unremitting attention which both his attachment to it, and his necessity, impel him to exert, in order to extract from it its greatest possible produce.

The expenses of Indian must not be measured by those of European husbandry. Exclusive of tanks, there is hardly any expense which may not be defrayed by the smallest, as easily as by the great proprietors; and even tanks themselves are unnecessary in Canara. The small estates are in general better cultivated than the great ones; and their owners are as regular as the great owners in discharging their kists. Among the numerous instances which have come before me, of their having been violently dispossessed of their lands, or of their having fled and left them waste, on account of balances under the late Government, there is not one in which these balances can fairly be attributed to the rent alone, nor in which they have not arisen from fines, anticipations, and other acts of oppression. In whatever way I view the question of great and small proprietors, I am perfectly satisfied that the preference ought to be given to small ones, and that Government ought to make its settlements immediately with them. Under such a system, the gross produce of the country will be greater, and the collection of revenue will be as regular as under that of great landholders. Men who have been accustomed to see the frequent failures among the

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lower classes of farmers in other parts of India, will not readily admit that a mass of small proprietors can be punctual; experience, however, in this province has demonstrated that the regularity of payment is not affected by the smallness of the estate.

Though my own opinion is decidedly in favour of small proprietors, yet, as Government has determined to introduce everywhere the system of Bengal, permanent settlement, it becomes my duty to point out in what manner it may be accomplished in Canara. It is evident that as the lands of Canara have for ages been private property, we are not at liberty to make the same disposition of them as might be done where they belonged to Government. If it is argued that no such difficulty has occurred in Bengal, it may be answered that the landed property of Bengal is, most likely, of a very different nature from that of Canara, which is both more ancient and more perfect than that of England; because it is more widely diffused, and less clogged with conditions. If in Bengal the sirkár grants of ináms are for lands, and not for money, and if the lands are held by a few great, instead of a multitude of small, proprietors, it may with certainty be pronounced that its landed property is of modern date, and that it is a usurpation of revenue officers and head inhabitants together. The very circumstance of the existence of such a property having been doubted, is a strong argument against its being of long standing. No man who has ever been in Canara can ever entertain any doubt with regard to its land being private property. As the property must therefore remain as it now is, all that can be done is to divide the country into a certain number of great estates, formed by the union of several small ones under one head. The most convenient arrangement would be the ancient one of mágánies or grámams, and the size of estates ought to be from one hundred to five thousand pagodas jama. To break in upon ancient boundaries and landmarks, for the sake of ideal advantages to be derived from squaring estates, would occasion much trouble to the collector, and no small discontent among the inhabitants, because these boundaries serve not only to divide lands, but also particular tribes or families, who form distinct communities in their respective villages. Where maganies are about five thousand pagodas jama, they ought to be divided into two or more estates; and where they are small, two or three ought to be formed into one estate. The average ought to be about one thousand pagodas jama. It could answer no good purpose, and might produce mischief, to make any estates above five thousand pagodas, because the proprietors might in time become a kind of petty poligárs. All past events in this country show that great landed property has always had a tendency to excite a turbulent spirit in the possessor, which has been favoured by the inaccessible nature of the hills and woods among which he

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resides. An estate of ten thousand pagodas in most parts of Canara, and in every part of Súnda, would place under the landlord so large a district, furnished with retreats so strong, that were he to become refractory, it would be difficult to reduce him to obedience. Such precautions may be said to be unnecessary, because gratitude for the benefits he has received from the British Government, and the impossibility of his bettering his condition, will preserve him in his allegiance; but the love of distinction and independence is a much stronger and more universal passion, than gratitude; and though it might be supposed that the hopelessness of success, and of course his own interest, would deter him from any opposition to authority, yet it is well known that men, on such occasions, do not always maturely weigh distant consequences, and it would therefore be the more prudent plan not to hazard an arrangement whose stability is to rest on gratitude.

After dividing the country into great estates, each of these estates ought to be made over to the potail or principal proprietor of the small estates of which they are respectively composed, in perpetuity. As he has no property in any of the lands composing the great estates, except those which were before his own, he can only be constituted a kind of lord of the manor; but as he must be responsible for all failures, he ought to be allowed the following advantages, in order to enable him to perform his engagement:— 1st. He ought to have an allowance of 2½ per cent. on the jama, to be included in the reduction which I have already proposed; leaving the remaining —— per cent. to go as an abatement to the mass of inferior proprietors and farmers. 2nd. He ought to be vested with proprietary right of all waste lands to which there are no owners, on condition of his paying the Bednore assessment the second year after they are brought into cultivation. 3rd. All inferior estates which, on failure of heirs, have heretofore been accustomed to revert to the sirkár, must now revert to him, and become, in every respect, as much his respective property as his own original estates.

Though the establishment of these Regulations will, I am convinced, answer the end of ensuring the easy realization of a permanent revenue, yet it is obvious that the influence of the 2½ per cent. in facilitating this operation must every day diminish; because, if it follow the laws of other property, though it now belongs to one man, it must, on his death, be divided, with his estate, among his children. We shall then have several persons, instead of one, to be responsible for the revenue; and as every succeeding generation will increase the number, we shall at last have almost as much detail with the superior landlords, as if we had made a direct settlement with the inferior proprietors. If, with the view of averting this evil, as it is supposed to be, we confine the 2½ per

cent. to the eldest son of some single heir, and make him solely responsible, we lessen the security of revenue, because, as we cannot prevent the division of the lands among all the heirs, we have now only the security of a part, instead of that of the whole of them, together with the 2½ per cent. for its realization. If we restrict the division of lands to the original estate, and determine that all subsequent acquisitions, whether from the reversion of inferior estates or the cultivation of sirkár waste lands, shall go with the 2½ per cent., we introduce the law of entail; and even this can hardly be effected, at some unknown remote period, in the many estates in which there is no waste. All system of Indian revenue must, I imagine, end in making a direct settlement with every independent landholder, without the intervention of any superior lord; and in making every one of them answerable for his own rent, and the whole of the estates composing a village or district answerable for the failure of any particular estate therein, by a second assessment.

Supposing, however, that it may be expedient, for the present, to adopt the system of great estates, the regulations I have recommended will apply to every part of Canara, and to the greater part of Ankola, Súnda, and Bilgi; but in many villages of Bilgi and Ankola, and throughout the whole of the villages in Súnda running along the Mahratta frontier, the land belongs to the sirkár, and may therefore be divided into estates and given away at the pleasure of Government. These villages are in general in such a desolate state, that a permanent settlement of them would now be made under very great disadvantages. It would, for many reasons, be best to defer the settlement, not only of them, but of Canara, for at least five years. The Collector can hardly, in a shorter period, gain the requisite knowledge of the country for carrying into execution so important a measure. Time should also be allowed to let the inhabitants become familiarized to their new master, and shake off all distrust and apprehension of change, and to enable them to understand the scope of the system intended to be introduced; and it should also be allowed in order to let the country recover after the long series of oppression under which it has suffered. The remissions already granted have removed every impediment in the way of this desirable end, and in five years they will work a wonderful improvement in the condition of the inhabitants. Judging from the confidence which they have already assumed in our moderation and good faith, I have little doubt that within that period the value of land will rise so much, that there will scarcely be a single estate which will not find a purchaser, should it be necessary to sell it to pay a balance.

In disposing of the great estates at the final settlement, no price ought to be demanded for them, because, as they were all

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before private property, upon which the superior landlord has no claim, there is no new advantage attached to his tenure, except the $2\frac{1}{2}$ per cent., nor any in immediate expectation, which can make it worth any valuable consideration. We have no ground to imagine that there will be any such competition for them as to raise their price. Soukárs, and other men of property, are too cautious to lay out their money in land, on the strength of the duration of a new system, and on the faith of a Government to which they have but lately become subject. In provinces which have been near half a century under the Company's authority, they may consider the property which they vest in land as secure from danger; but here they will not readily believe that it can be safe: for nothing but the experience of many years will persuade them that another war may not transfer them to the dominion of another power. As we must therefore expect no candidates for estates, except among the landholders themselves, and as, from the minute division of land, very few of them can be supposed to be rich, no considerable sum can be expected from them for great estates. But though they have not the means of making great advances as purchase money, the realization of the revenue will not be the less secure. It is the wide diffusion of landed property, by which almost every field has a different owner, who is anxious to increase its produce, and who pays his rent with a regularity unknown among tenants at will, that constitutes this security, which will be every day strengthened by the effect of the abatements which have already been made. These will operate both in augmenting the gross produce of the land now in cultivation, and in enabling the owner to obtain a better price for it: they will encourage him to enlarge his cocoanut plantations, which in a climate so favourable would have been ten times more numerous than they are, had not the dread of additional assessment restrained their cultivation; and they will furnish him with the means of cultivating completely the higher and more unproductive lands of his estates, which, in many of the greater estates, have lain waste almost ever since the Mysore conquest. Canara will probably never be a manufacturing country, because it produces none of the raw materials necessary to render it such, and because the heavy rains, which last so great a part of the year, are an insurmountable obstacle to all operations which required to be carried on under a clear sky and in the open air; but the same rains which deny it manufactures, give it a succession of never-failing crops of rice, which place its revenue and its future prosperity on the firmest foundation; for there can be no danger that the existing demand for its surplus produce will ever diminish. The province of Malabar, Goa, Bombay, and Arabia can be nowhere else so well supplied; and there is every reason to conclude that their consumption, by the abolition of all regulations in favour of particular countries and the reduction of duties, will be increased.

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APPENDIX C.*

ON THE MODE OF CONDUCTING A RYOTWÁR SETTLEMENT.

To the President and Members of the Board of Revenue.

GENTLEMEN,

Para 1. I had, some time ago, the honour to receive your letter of the 9th September last, with a copy of an extract from the Honourable Court of Directors, dated the 6th November, 1805, and of the Minutes of Government thereon, dated the 1st August, 1806; and I shall now, agreeably to the orders of the Board, give as circumstantial an explanation of the manner in which the kúlwár, or individual settlement, is made, as the subject seems to require.

2. This kind of settlement, though it appears intricate and laborious, is so greatly facilitated by a variety of causes, as to render the execution of it easy, to any person of common attention. It is the ancient and universal practice under all the native governments; and hence the Collector has no trouble of introducing a system, but has only to follow that which he finds already established.

Districts are divided into villages under the management of potails, or head farmers, who are, from long habit, perfectly capable of making the settlement of their respective villages; and the ryots, from having been long accustomed to be guided by them, readily agree to what they fix or propose, as it is usually what they themselves know to be the proper rent.

In all villages, the ryots are in the habit of meeting and debating upon the subject of rent; but there are many villages in which they settle among themselves the exact proportion of the whole rent that each individual is to pay. These are called Vísapadi, or sixteenth villages, from the land and rent being divided into sixteenth shares; and they compose a considerable part of the Cuddapah province, which is about one-third of the Ceded Districts, besides being scattered, though more thinly, over

* The letters included in this Appendix are inserted as illustrating and elucidating the opinions more briefly expressed in the paper printed on pp. 106–108, vol. i., regarding the ryotwár system of land revenue.

other parts of the country. When the season of cultivation draws near, all the ryots of the vísapadi village assemble to regulate their several rents for the year. The pagoda is the place usually chosen for this purpose, from the idea that its sanctity will render their engagements with each other the more binding. They ascertain the amount of the agricultural stock of each individual, and of the whole body, the quantity of land, to the culture of which it is adequate; and they divide it accordingly, giving to each man the portion which he has the means of cultivating, and fixing his share of the rent; and whether his share be one or two sixteenths, he pays this proportion, whether the whole rent of the village be higher or lower than last year.

Every village is, in fact, a small collectorate; and where the potail does his duty, the Collector has only to confirm what he has already done. From all these circumstances, together with the aid which is derived from the tahsildárs and their cutcherries, the kúlwár settlement, which on the first view might appear to be an endless task, is so much simplified, that it may be accomplished by any person of ordinary talents and exertion.

3. The chief obstacles in the way of it, arise from false accounts, from doubts concerning the rate of assessment, and from the difficulty of ascertaining the condition of the poorer ryots. There is perhaps no curnum who, in any one year, ever gives a perfectly true statement of the cultivation of his village; and it is only the fear of removal or suspension that can make him give such accounts as are tolerably accurate. The proper rate of assessment is found, either by reference to the accounts of former years, or by comparison with the rent of lands of the same quality which have long been nearly stationary; and the condition of the poorer ryots is learned from the concurring testimony of their neighbours, who at the same time will not exaggerate their poverty, lest the remissions which may in consequence be granted, should fall upon themselves. A short explanation of what takes place in the kúlwár settlement of a single district or tahsildári, will equally apply to the whole number of districts forming a collectorate. I shall here speak of a district *in its ordinary state of prosperity*, not of one that has been reduced below it, by war or any other calamity.

4. A district paying a revenue of fifty thousand pagodas usually contains about a hundred villages, differing greatly in extent and produce; some of them not paying more than a hundred pagodas, and others as much as five thousand annual rent. Every village has within itself a complete establishment of hereditary revenue servants: a potail to direct the cultivation, realize the rent, and manage its affairs in general; a curnum to keep the accounts; and a certain number of peons to act under the potail, in collecting the kists from the ryots. When the ploughing season begins, the

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potail ascertains what land each ryot can cultivate; he permits those who may have met with losses to relinquish a part of their land, which he distributes to others, who may be willing to take it; and to such as require none, he continues their former lands. He does not fix their rents, because this is done by the Collector when the season is so far advanced that a judgment can be formed of the crop; but he assures them that their respective rents will continue the same as last year, only making allowance for such alterations as may become unavoidable, from the total revenue of the village being somewhat raised or lowered by the collector: they are satisfied with this promise, receive betel from him as a confirmation of it, and yoke their ploughs. Specific written engagements cannot be made with them at this early period of the year, because, as in annual settlements, where the failure of the crop is great, remissions must be allowed, so where the produce is uncommonly abundant, increase must be taken to balance such failures; because the potail having relations and friends in the village, to whom he would be partial, could not safely be entrusted with the power of fixing rents; and because the ryots themselves will not in this year agree to pay the same rent in the ensuing one, lest they should meet with losses, which would be aggravated by a rent which they might then be unable to bear. The tahsildár goes round his district in the early part of the season. His business is chiefly to regulate cultivation in those villages where it is mismanaged from the incapacity of the potail, or impeded by disputes among the principal ryots, and to make advances to the poorer sort for the purchase of feed, ploughs, or cattle. He also ascertains what land each ryot has already cultivated, or engaged to cultivate during the year, which he does by assembling the ryots in their respective villages, and examining them in the presence of the potails and curnums; and accounts of the land occupied and unoccupied are taken by his cutcherry, which accompanies him. He goes round again when the crops are ripening, to see their condition, and to ascertain whether the quantity of land actually cultivated is more or less than that which the ryots had engaged to take.

5. The Collector sets out on his circuit in September or October, when the early crops begin to be reaped, and the late ones to be sown. On arriving in a district he assembles all the ryots of the four or five nearest villages. The first business is, to learn how far the cultivation of the present year is more or less than that of the last. This is soon done, by the help of the tahsildárs' and curnums' accounts, compared with the reports of the potails and ryots. Where there is a decrease, it is commonly owing to deaths, emigrations, or loss of cattle; where there is an increase, it is usually derived from new settlers, or additional lands being occupied by the old ones. In the case of decrease, the rent of the

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lands thrown up is deducted from the settlement of last year; in that of increase the rent of the land newly occupied is added; and in both cases, the rent of the remaining lands remains the same as before. The rent of the land newly occupied is determined by the accounts of what it was in former times, or if such accounts cannot be procured, by the opinions of the most intelligent ryots; but the full rent of waste land is not exacted, until it has been in cultivation from two to seven years. The number of years, and the gradational rise in each year, depend upon the nature of the land and the custom of the village. They are known to all parties; and all doubts are removed by their being detailed in a proclamation or cowle námah, under the Collector's seal, circulated to every village.

If the cultivation is the same as last year's, and no failures occur among the ryots, the rents remain unaltered. If the crops are bad, and it appears that some of the poor ryots must have a remission, the loss, or a part of it, is assessed upon the lands of the rest, where it can be done without causing any material inconvenience. This assessment never exceeds ten or twelve per cent.; and is much oftener relinquished than carried into effect. In cases where it can be easily borne, it is frequently agreed to without difficulty; and if opposition is made, it is generally soon got over by the mediation of the ryots of the neighbouring villages present. These discuss the point in question with the ryots of the objecting village; tell them that it is the custom of the country; use such other arguments as may be applicable to the subject; and never fail in persuading them to accede to the demand, unless it is really too high, in which event it is lowered. Wherever individuals or villages object to their rent, it is always the most expeditious and satisfactory way of settling the dispute, to refer it to the ryots of other villages, who do more on such occasions in half an hour, than a Collector and his cutcherry in a whole day.

6. The great number of ryots assembled, and the publicity of every operation, are of great use in expediting the settlement. If failures of crops are to be remitted to needy ryots, those who claim indulgence on insufficient grounds cannot succeed, because their neighbours, who are present, object to it; for they will not allow a remission to be given in which they do not themselves partake, unless it is absolutely necessary; and in the same manner, if rent is anywhere raised too high, the parties on whom it falls, by appealing to the judgment of the ryots of other villages, get an abatement; so that as much aid is derived from the ryots themselves, as from accounts, in making the settlement.

7. When the land in cultivation and its rent have been ascertained, the Collector gives every ryot a pattah, with his signature, in which every field he holds, and its rent for the year, are inserted.

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In most villages, the greatest part of the ryots hold the same field several years, so that among fifty individuals there are not, perhaps, ten whose rights require alteration. When the Collector has finished the first four or five villages, he moves on a few miles, assembles the ryots of the adjacent villages, and having settled their rents, proceeds in the same manner, until he has finished the whole district, which usually requires a month or five weeks. The Sub-Collectors, who have only four or five districts each, make the whole kúlwár settlement personally. My own division is too extensive to be annually settled in detail by one person; and I therefore leave what I cannot accomplish myself, to the district servants. I make the village settlements of every district, and also the kúlwár settlement of one district, in some years, and of one village in each district in others, and direct the rest to be done by the tahsildárs. The tahsildár having one village as a model, is easily enabled to settle the rest in the same way. The rent of each village having been settled by me, he can only add to it by including lands which may have been suppressed by the curnums, and he can only lower it where some of the ryots may have met with great losses. If he lowers it without cause, the ryots who do not share in the remission, object to it and complain; or if, without altering the rent of the village, he lowers that of one ryot and raises that of another unjustly, the ryot on whom the extra rent is thrown complains. Even where the ryots neglect to bring the grievance forward immediately, they hardly ever omit to state it, when assembled for the settlement of the ensuing year; and the tahsildár, knowing that the gross negligence or partiality will be attended with the loss of his place, seldom ventures to make an unfair settlement. There are, however, cases in which he does so, either from ignorance or corrupt motives; but where the Collector is vigilant, they are not frequent. There is, indeed, no possibility of preventing them altogether; for the Collector, when he makes the settlement in person, may be deceived occasionally by the servants of his own cutcherry, who may be dishonest as well as the tahsildár. The business of a Collector is not properly so much to labour through all the details of the settlement, as to make those do it who can do it best. The potails and curnums of villages are the persons most capable of making the settlement correctly; but they cannot be trusted, because they are cultivators themselves, and have always friends and enemies among the ryots. It therefore becomes necessary to employ a tahsildár, who, not being a native of the district, is not so liable to be influenced by partialities. As his attention, too, is confined to a single district, he will consequently know the state of its cultivation better than the Collector or his cutcherry, and will be better qualified than them to make the settlements properly; and hence I have found that the settlements

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of tahsildárs have usually been better adapted than my own to the circumstances of the ryots.

8. I have described the kúlwár settlement, as it is made in a country *in its ordinary state of cultivation;* but in one which has suffered from invasion or internal disturbances, and in which a part of the land formerly cultivated is waste, and the remainder held at a rent considerably below the ancient standard, the process is more tedious and difficult, because it is requisite not only to increase or diminish the rents of such individuals as occupy or throw up land, but to raise the rent of every ryot, by raising the rent of all lands gradually to its former level, following cautiously the improving condition of the ryots. This was done throughout the Ceded Districts for some years; but they have all now, with a very few exceptions, reached their standard assessment. The same mode is followed in raising the general rent of whole villages and districts, as the particular rent of a few individuals. It is effected by the means of accounts, of the opinions of intelligent revenue servants; and, more than all, by the assistance derived from the ryots of one village in assessing those of another.

9. *When a district has been surveyed, and the rent of every field permanently fixed,* the kúlwár settlement becomes extremely simple; for all that is required is to ascertain what fields are occupied by each ryot, and to enter them, with the fixed rents attached to them, in his pattah: their aggregate constitutes his rent for the year. He cannot be called upon for more, but he may obtain an abatement, in case of poverty or extraordinary losses. He has the advantage of knowing in the beginning of the season, when he ploughs his land, the exact amount of what he is to pay; he knows the fixed rents of the different fields which he cultivates, and that the demand upon him cannot exceed their total amount; he knows the utmost limit of his rent, not only for the present, but for every succeeding year; for it cannot be raised unless he takes additional land, and he is thereby the better enabled to provide for the regular discharge of his kists, and against the losses of bad, by the profits of good seasons.

10. The kúlwár settlement, though it may appear tedious, when compared to the village one, is however not only better calculated to realize the revenue, but is, on the whole, a saving of time, because when it is once made, there is no further trouble; but in the village settlement there is so much room for malversation, for many disputes between the potails and ryots, about extra collections on the one hand, and the withholding of rents on the other, that more time is consumed in inquiring into those matters than in the original settlement.

11. The Honourable Court of Directors seem to be apprehensive that too much must be left in the kúlwár settlement to the agency

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of native servants; but it does not appear to me that such agency can be dispensed with, or that, when properly controlled, any serious evil can result from its employment. Without it, the Company's servants could do little or nothing. The most experienced Collector could hardly make the settlement of ten villages in a whole year; and, after all, it would most likely be done very indifferently. The native servants are restrained, as far as men with inadequate allowances can be restrained, by the same considerations as the public servants in other countries: by the fear of detection, of losing their situations, and of punishment. In all provinces that have been permanently settled, their agency has been used, and it had then a much wider field for abuse than in the kúlwár settlements; because such provinces having been previously settled for some years, by villages, taluks, or other large tracts, without descending lower into detail, and being then disposed of for ever, all inquiry was at an end; so that if the revenue of villages or taluks could be undervalued and concealed for a short period, till the permanent settlement took place, all danger of discovery was over; whereas, under the ryotwár system, the minute process that is gone through every year, renders the most trifling abuse liable every moment to detection. When the rent of every field has been fixed by survey, there is little room for abuse: it cannot be against the ryot, but may be in his favour, because it can be effected only by reporting cultivated land as waste, or by obtaining remission on false pretences of poverty; but it has already been shown that, from the public manner in which the kúlwár settlement is conducted and the contending interests of the ryots, either of those modes of injuring the revenue can never reach to any extent, or be long concealed. There can be no doubt that the kúlwár settlement is better calculated than any other to bring to view the whole resources of the country; but whether it is equally well adapted to improve them, can perhaps never be certainly known, but by a long trial of its effects in an extensive district.

I have the honour to be, Gentlemen,
Your most obedient and humble servant,
(Signed) THOS. MUNRO,
Principal Collector.

Koilkuntla, 30th Nov., 1806.

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ON THE CAUSES WHICH NECESSITATE REMISSIONS OF REVENUE.

To the Collectors of the Ceded Districts.

GENTLEMEN,

Para. 1. When remissions are required, it is generally owing to some one or more of the following causes:—1st. Peculation of the amildár and other district servants; 2nd. Peculation of the potails and curnums; 3rd. Improvidence of the ryots; 4th. Bad crops and other accidents; 5th. Over-assessment.

2. The amildár's peculations arise either from the public revenue, or from a private assessment. The amildár usually wishes that rents should be low, because the lower they are, the higher he can make his private assessment, and the less probability there is of its being soon discovered; because the potail and ryots, partaking in the benefit, are averse to informing against him. While he confines himself to his private assessment, he may carry on the public collections without leaving any balance outstanding; but, whenever he appropriates any part of them to his own use, he raises a proportionate balance against the district; and the cause of it will very soon be discovered, unless the division servants are concerned with him, and the Collector is himself very indolent. If he is pressed for payment, and attempts to raise the money by an extra assessment, the transaction will certainly be brought to light by some of the inhabitants, either by complaining, or by talking so much of it that it becomes known everywhere, and is carried to the Collector's cutcherry by some person who wishes to recommend himself for employment. The amildár, sensible of the danger of an extra assessment, seldom ventures upon it, but usually prefers the safer mode of fabricating stories of loss of crops and other accidents, and of the inability of the inhabitants to discharge the balances. When such excuses are received, it ought invariably to be concluded, unless the facts are very fully established, that there is something wrong in his conduct, and his removal from office ought to follow without delay. His successor will find no difficulty in ascertaining the real state of the balances; for, on pressing the villages by which they are reported to be due, the inhabitants, if they have already paid them, will, in order to save themselves, inform against the late amildár.

3. The potails and curnums, when they know that the amildár diverts a part of the public revenue to his own emolument, always follow his example, and thereby augment the outstanding balance. They frequently go further; and levy additional sums from the more substantial cultivators, because they are conscious that the

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amildár, being himself guilty of malversation, will not dare to bring them to punishment. These last impositions, though they do not affect the balance of the current year, will most likely increase that of the next, or, what is the same thing, diminish the settlement. The potails and curnums can hardly ever make away with any of the public money without the knowledge of the amildár. If in any case they do, it is a proof that he is either very careless or very ignorant, and that he is unfit for his situation. Their influence, particularly when they have obtained by their exertions a favourable assessment for their village, is usually sufficient to make the cultivators conceal the demand for a small private assessment which is always, on such occasions, made upon them, provided that, together with the public one, it does not exceed what their rent ought to have been; but when they attempt to make an extra assessment, to supply any deficiency of the public revenue which they may have embezzled, the cultivators never pay it without opposition: and they will always complain of it to the amildár, unless they suppose that he is a party himself, and will not hear them.

4. The mismanagement of the cultivators is not so frequent a cause of failure as might at first sight be imagined. When they have money sufficient to pay their rents, but do not apply it to that purpose, it is usually expended upon a marriage or in discharging a debt; but as the ryots, when left to themselves, always pay their rent in preference to every other debt, it may generally be suspected, when they act otherwise, that the district or village servants are concerned in the transaction. Many potails and curnums having, under the late Government, embezzled a part of the revenue of their villages, and been forced to make it good, by borrowing money from soukárs, upon bonds running in the names of themselves and their villages, they frequently employ the money collected as revenue in paying these bonds, on pretence that all the ryots were answerable, as well as themselves, for the debt. They call upon them again for the rent, which they have already paid; but, as some of them are unable to comply, an outstanding balance appears against the village. Besides the general debts of the village, the ryots are often so much pressed for their own private debts as to be rendered incapable of discharging their rents. These debts are frequently nothing but the accumulation of exorbitant interest, which the ryots would never pay if they were not afraid of being compelled. When private creditors are permitted to seize the property of the ryots before their rents are paid, it is always to be inferred that they have bribed the amildár; and when the potails are allowed to assess them on account of general bonds, it may be concluded that the amildár has been guilty of peculation, and that he cannot support the cultivators, lest the potail should inform against him.

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5. Bad crops are the chief cause of failures, and consequently of remissions; and they are also frequently brought forward as a plea for obtaining remissions, without any absolute necessity. All complaints regarding them should therefore be received with very great caution. Were an investigation to be ordered whenever a cultivator thought proper to solicit an indulgence for his loss, claims would soon become so numerous that all the revenue servants in the country would not be able to examine one-half of them. The cultivators would likewise have no difficulty, even in a favourable year, of showing a real loss of eight or ten per cent. of the whole revenue; because in every village, in every season, there are a few fields whose produce is not equal to their rent; and these fields only would be mentioned as cause of distress and failure; while those whose crops had been more abundant, having probably been already reaped, there would be no means of determining how far the deficiency of produce, in the one case, was counterbalanced by the excess in the other. Were it even possible to estimate exactly the actual loss in every year, it would not follow that it ought to be remitted; for the same cultivators who have lost this year may have gained last, and as no extra assessment was then laid upon their profit, no remission can now fairly be claimed for their loss. Whatever may have been the crop, should it have been even less than the seed, they should always be made to pay the full rent, if they can; because good and bad seasons being supposed to be equal in the long run, the loss is merely temporary, and the making of it good is only applying to the deficiency of a year of scarcity the funds which have arisen from one of abundance. Though there is no rule by which a positive judgment can be formed whether or not a ryot who asks a remission can pay his rents, it may, in most cases, be discovered by ordering the amount of his failure to be assessed upon the village; for, as the other inhabitants are usually well acquainted with his circumstances, if he has any means of answering the demand against him, they will point them out, in order to exempt themselves from being burthened with it. In the same manner, when a village fails, if the balance upon it is assessed upon the neighbouring villages, the desire of saving themselves from additional taxation will induce the ryots of those villages to find and give information how far the failing village may be able to pay the whole or a part of its balance. When individual balances are to be levied upon the village by which they are due, great care should be taken lest the rigorous exaction of them should so much distress the inhabitants as to disable them from cultivating their usual quantity of land the ensuing year. The amount of this second assessment ought seldom or ever to exceed ten per cent. of the rent of the ryots of the muzera, or inferior village, on which it is imposed. If a balance

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still remains, it should be assessed upon all the muzeras which constitute the mouza, but not in a greater proportion than ten per cent. of the rent. Should a part of the balance yet remain unextinguished, it ought to be remitted, because the inhabitants are extremely averse to contributing to the losses of any village but their own, and because, if more than an additional ten per cent. is raised upon the mouza in whose muzera the failure has risen, there is great danger of its occasioning a considerable decrease of cultivation the following season. When individuals are pressed for balances, the extent of the consequent loss can never exceed the sum of their particular rents; but when a whole village is laid under a greater second assessment than it can bear, it may hereafter cause a very serious diminution of revenue. Whenever the failure of the crops gives reason to apprehend that there will be a balance against any village, the amildár ought to repair to the spot without delay; ascertain, with the assistance of the inhabitants of it and the neighbouring villages, what sum it will be necessary to raise by a second assessment; and, after making known to every ryot the additional amount he is to pay, take measures for its being collected with the last or two last kists. When the loss, however, appears in a village whose inhabitants are able to make it good, the amildár ought to take no notice of it, but proceed with his collections in the same manner as if there had been a plentiful crop; for the necessity of making remissions is much lessened by giving the ryots no encouragement to expect them.

6. When over-assessment is the cause of an outstanding balance, it ought to be remitted; for it would be unjust to exact more from the cultivators than their lands can possibly yield. Cases of failure from over-assessment alone are, however, very rare; because the potails, at the time of the settlement, always refuse to take their pattahs if it is too high, and always obtain a reduction when they show clearly that it is over-rated. Their own enmities are the most common source of over-assessment; for one potail often exaggerates the produce of the village of another, or offers more for it than it is really worth, with the intention of supplanting his rival, and making the ryots pay the loss. He ought to be obliged to pay it himself, as far as his means go; and, if they are not sufficient, the difference ought to be remitted. If, by any mistake or false information, one muzera in a mouza is rated too high and another too low, a second assessment ought to be laid upon the under-rated muzera, and applied to the discharge of the balance.

I am, Gentlemen, your obedient servant,
(Signed) THOS. MUNRO,
Principal Collector.

Cuddapah, 25th August, 1802.

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ON THE THREE MODES OF MAKING A RYOTWÁR SETTLEMENT.

To the Collectors of the Ceded Districts.

GENTLEMEN,

Para. 1. In making the annual revenue settlements there are three ways which are usually followed, and which have each, according to particular circumstances, their claim to preference. The first is, to make the mouzawár, or village settlement, of a whole district at once, and then to proceed to the kúlwár, or individual settlement, with every inhabitant of each village; the second is, to make the village settlement of one village, and then the individual settlement of it, before beginning with another; and the third is, to begin by settling with each individual of one village separately, and then, by adding their rents together, to make the village settlement.

2. The first mode, that of beginning with a general village settlement of a whole district, is that which I always observe myself, not only because it has in itself many advantages, but because no other would answer in a division so extensive as mine. It is much more expeditious, and is also frequently as correct as the others. By assembling all the potails and curnums of a district in one place, there is a better chance of obtaining speedy and even accurate knowledge of its actual state of cultivation, than there is by meeting them in their respective villages; because, besides the usual information to be derived from the curnums' accounts, there is always a great deal obtained from discharged curnums who wish to be restored, and from persons without employment residing in the different villages, who are desirous of renting them. By drawing intelligence from so many different sources, it usually happens that the produce of some villages is more fully brought forward than that of others. But, as the potails and curnums of such villages are averse to being higher assessed than their neighbours, they seldom fail to disclose whatever they know of their concealed resources; and, in this manner, the total actual produce of the district is soon known; and after the gross amount of the assessment is once fixed, should it still fall so heavy on any particular villages, it is easily equalized by the potails themselves, with the assistance of the cutcherry. When neither the accounts of the curnums, nor any other information, raise the revenue so high as there is reason to think that it ought to be, and when it is therefore thought advisable to try the dangerous experiment of increasing the assessment, not from the accounts of the current

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year, but from the presumption that the produce, being known from authentic documents to have been much greater some years ago, cannot possibly be now so much diminished as it is represented to be, the additional rent which may be imposed upon the district on such an occasion is in general very readily partitioned by the potails and curnums among their respective villages. It is, however, very hazardous to attempt to raise the revenue upon such uncertain foundations; for there is often more mischief done by one year of over-assessment, than can be remedied by seven of moderation. Revenue servants who have had much experience, can easily ascertain, from the manner in which the potails and curnums proceed in distributing the extra assessment, whether or not there be really a corresponding extra produce. When they divide the extra assessment in a certain proportion among all the villages, it is usually a proof that the first assessment had been to the produce nearly in the same rates in them all; but it is no proof that it is too low. When they divide the extra assessment unequally, it is a strong indication that at least those villages on which the greatest additional weight is thrown, had before been under-rated. The chief objections to making a settlement of all the villages of a district at once are, that it is sometimes detrimental to cultivation, by keeping the potails and curnums away from their villages when their presence is wanted to promote it, and that, by bringing the heads of villages together, it enables them to form combinations to prevent the raising of the assessment, which they would not otherwise have thought of. Their being assembled is, however, much more frequently attended by a contrary effect; for private quarrels, and their jealousy of any of their neighbours obtaining more favourable terms than themselves, most commonly urge them rather to exaggerate the value of each other's villages, than to form any concert for their mutual benefit. In my division, the settlement of all the villages composing a district is always made at once, and the kúlwár, or individual settlement, is afterwards made by the amildár; but as few amildárs, who have not before been in the Company's service, have ever seen a kulwár settlement, people are sent from the cutcherry to carry it into execution in all those districts where it is thought that it cannot be safely entrusted to the amildár.

3. The second mode, that of making the assessment of each village separately, is a very common one. It is less liable to be either too high or too low than the district settlement; because the state of a tank, or of the cultivation of particular fields, about which there may be a dispute, can be readily ascertained by sending some person on the spot; because those who are to make the settlements have also an opportunity of observing the general state of agriculture among the lands of the village; because it can be

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easily discovered whether those ryots who are reported by the curnums to have emigrated, are present or not; and because the amount of the muhtarfa, or taxes on trades, can be more accurately determined at the village itself, than anywhere else. When the village settlement is once fixed, that of the different cultivators is greatly facilitated; because the potail and curnum, knowing that a certain sum must be levied, give every assistance, except perhaps in the case of a few of their own relations, to make a fair distribution of it, and because the cultivators, for the same reason, agree without much difficulty to their several proportions; and as the discovery of every unauthorized inám or cultivated sirkár field not brought to account, lightens their particular assessment, a regard for their own interest encourages them to give information of many frauds of this nature, which could not otherwise have been so readily detected. Though an amildár may visit and settle every village separately, a Collector, who has the management of five or six districts, must settle two, three, or more villages in one place; for, were he not to do so, the season would be over before he could finish his settlement. He has, in this way, more people to give him information of the state of these villages, than he could have had by going to each of them separately.

4. The third kind of settlement, the kúlwár or individual settlement, if the curnums' accounts could be depended upon, would naturally be the best, because the stock of cattle, and the quantity and quality of land belonging to each cultivator, being known, it would be easy to fix his rent; and that of all the cultivators added together, would form the land rent of the village. But, as the curnums' accounts are always false, to begin with fixing the rents of the cultivators would not only be the most tedious, but the most unequal of all settlements. Every single cultivator objects to his own assessment. When the cutcherry servants, by stating the quantity of his land and the rent that had been drawn from it in preceding years, endeavour to convince him that the assessment is moderate, and that he ought to agree to it, he urges all the excuses commonly brought forward by that class of men: that grain is now very cheap; that some of his cattle are dead; that he is poor, and cannot cultivate his land without an abatement of rent. He is privately encouraged by the potail and principal farmers to give as much opposition as possible; because they all, in their turns, intend to do the same, and they hope that, if he can obtain a reduction of his rent, they may also, under the same pretences, expect the same indulgence. Every ryot is usually sufficiently careful of his own interest to dispute about his rent, whether it is high or low; but should there even be some among them who, being satisfied with it, have no thoughts of starting objections, the fear of the potails' displeasure, and of the reproaches of the other

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ryots for deserting the common cause, induces them to raise as many difficulties as any of the rest. Much time is consumed in thus debating upon the rent of every individual; and if the revenue servants, either believing their representations of their distress, or wishing to expedite the settlement, allow some abatement of rent to those who are reckoned the poorest, they find that the aggregate of these remissions not only causes a considerable loss of rent, but increases the difficulty of settling other villages, by encouraging the ryots to insist on a similar, or perhaps a greater, reduction. The ryots who dispute the most obstinately, even though their rents are already too low, are the most likely to get a further abatement; and those who are less noisy and litigious are most liable to have their rents, perhaps already too high, raised still higher. It may be thought that the ryots being collected together in one place, no one would allow the land of another to be more favourably rated than his own, without complaining. This usually takes place in villages where none of the ryots are very poor—where there are few in number, and nearly on a footing with regard to property. In such cases, they generally insist upon a fair division of the assessment; but in most other villages, in which both the poorest and the most substantial ryots are found, the assessment is for the most part unequal, and is always most favourable to the relations of the potail, and to such other ryots as hold out the most stubbornly.

5. *When a country has been surveyed*, the individual supersedes both the village and district settlement, because it is then no longer necessary to waste time in endeavouring to persuade the cultivators to accede to the assessment. The rent of every field being fixed, each cultivator takes or rejects what he pleases, and the rents of all the fields occupied in the course of the year in any one village form what is called the settlement of that village. But where no survey has been made, either the settlement with all the villages of a district at once, or that with three or four at a time in succession, must always be adopted. Besides the reasons already mentioned, the various accidents that affect the crop render it convenient to make the village precede the kúlwár settlement, because, though the general state of cultivation in a village may be known early in the season, the particular lands on which the crop may thrive or fail, can never be ascertained until it is pretty far advanced; and as the assessment of individuals must, in some manner, be regulated by the produce, the more advanced the harvest season is when their rents are fixed, the more likely are they to be proportioned to their means of discharging them. This system operates, no doubt, in many cases, as a tax upon industry and an encouragement to idleness; but as there is at present no other method of securing the realization of the public revenue,

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it must be continued until the country is surveyed, when every man will be made to pay, not according to the quantity of his crop, but of his land.

6. Though the crop should be considerably advanced before the individual settlement is begun, yet it ought not to be delayed beyond this period; and the sooner it is then finished, the better. If it were possible, it would be of great benefit to the inhabitants that it could be effected by the time the first kist becomes due; because every cultivator, knowing the full amount of his rent, and having the whole of his crop on hand, would see at once how far it was likely to answer the demand upon him, and would thereby be the more enabled to turn it to the greatest advantage. If it was more than sufficient, he would lay up a part to sell late in the year, when the price had risen to its highest pitch. If it was inadequate, he would still endeavour, by selling it only by degrees in proportion to his kists, and by curtailing his expenses, to pay his rent. But when his rent is not settled till after most of the kists have been collected, it is sometimes higher than he expected. He has probably not been so careful or economical as he would have been, had he known the amount of it earlier, and he is, therefore, unable to make it good. On the other hand, while he remains in his state of uncertainty, he sometimes suspects, without cause, that his rent will be raised higher than is actually intended. He perceives that his grain will not equal the demand against him; and he sells it off in a hurry at a low price, and absconds with the produce. It is, therefore, of importance that the individual settlement should never be longer delayed than is absolutely necessary; for the same bad consequences often ensue from uncertainty, as from a higher assessment.

7. Whenever the individual settlement of a district is completed, pattahs for every ryot paying rent to Government should be made out by the curnums, according to the form prescribed in my letter of the 30th August, and transmitted to the cutcherry, to be signed by you, after having been compared. You should give them yourself to the inhabitants of the villages near the spot where you happen to be at the time: in all other places they may be delivered by the amildár. It is proper that every pattah should have your signature, because the inhabitants have more confidence in it than in that of the amildár or potail. They know it is intended to guard them against extra demands; and they will be more likely to refuse compliance with them, when they have such a voucher in their possession. It likewise teaches them to look up to you, instead of the native servants: and, though they may not have courage to resist the demand in the village, to come forward afterwards with the complaint. They have always been so much accustomed to arbitrary exactions, that it is very difficult to prevail upon them, at

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least upon the poorer classes, to oppose them. But nothing tends sooner to convince them that there is a limit to assessment, and to encourage them to reject all extra impositions, than the general distribution of pattahs by the Collector.

I am, Gentlemen, your obedient servant,
(Signed) THOMAS MUNRO,
Principal Collector.

Chitvél, 30th September, 1802.

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APPENDIX D.

MEMORANDUM ON A SUGGESTION THAT A CERTAIN NUMBER OF NEGRO REGIMENTS SHOULD BE BROUGHT TO INDIA FROM THE WEST INDIES, AND THEIR PLACES TAKEN BY SEPOY REGIMENTS FROM INDIA.

11th June, 1805.

It is not likely that the urgency can be so great in Britain as to render it difficult to allow a sufficient number of European troops for India. The number required can hardly exceed 5000 or 6000 annually. If it even amounted to 10,000, such a body as this would not be wanted for a succession of years, but only for one or two on some extraordinary occasion. If the British army could not spare so many men, the whole, or the greatest part, might be raised by recruiting. This would not much impede the recruiting for the regiments in Europe; or even if it did, it would probably be little felt, for though it might be often inconvenient to spare regiments, the emergency would never be so great, unless during an actual invasion, as to make it difficult to spare recruits. It may be observed, too, that many men would enlist to go to India who would not enlist for any other service, and that the raising of such men would not injure the recruiting for the corps in Europe.

Negro regiments are not, even in the West Indies, so efficient as Europeans, though they are superior to them in resisting an unhealthy climate, in traversing woods under a burning sun, and some other duties of mere fatigue. But in India they would lose these advantages in a great measure, for they would not bear either the climate or fatigue better than Europeans who have been a short time seasoned to the country. There is little service here among woods and swamps; and as such places, when unhealthy, are nearly as fatal to sepoys as to Europeans, it is not likely that negroes would escape their effects. The operations of war with the great native powers, and even with the petty Rájás, are chiefly carried on in open countries, to which the European is as well adapted as the negro constitution. Negro regiments in India would certainly neither be so much respected by our native troops, nor feared by the enemy, as Europeans. Negroes in a military character are not

unknown in this country. Bodies of Abyssinians were formerly employed in the cavalry of many of the Mussulman princes of the Deccan, and small parties in later times have served in the infantry of the armies of Hyder Ali and other chiefs; but they do not appear to have been thought better troops than the natives. No just comparison, it is true, can be drawn between them, dispersed among the rabble of an Indian army, and formed into regular battalions under European officers; but the same thing may be said of the native troops, who under British officers are so superior to their own countrymen in the service of the native powers.

The bravery of a soldier depends on discipline, on a sense of honour, and on a high opinion of himself; and in all these the negro is perhaps inferior to the native of India. He has the advantage of him in personal strength and in the confidence which is inspired by it; but this does not compensate for his deficiency in other respects. The best negro regiments in the West Indies, brought to this country, would not be more steady in action or more formidable to the enemy than sepoys.

The difficulty of victualling negroes and Europeans could not be equally great, unless both are subsisted in the same manner in the West Indies, and unless the negroes are told that they are to be continued upon the same footing of equality in this country. A regiment formed of negroes imported direct from Africa might be subsisted as easily as sepoys. Negroes from the West Indies, even if victualled there like Europeans, if sent to this country without any stipulation on that head, might easily be brought to subsist in the same manner as sepoys. It would be no hardship upon them to exchange their salt provisions and grain, often damaged, for an Indian bazar. In the field they would not always find butchers' meat, but they might purchase it occasionally, and the common arrack of the country would supply the place of new rum.

The expense of victualling and pay need not be so great, for there can be no reason why negroes may not be victualled and paid exactly at the same rate as sepoys, provided no stipulation to the contrary has been made in their favour. The pay of a sepoy is equal in money to what the pay of the British soldier was formerly in Europe, when he received sixpence a day. It is greater in value than the British soldier's present advanced pay, if the difference between the prices of the common articles of life in India and England is considered. Negro regiments might not only be maintained on the present, but on the former pay of the sepoys. The pay of sepoys in this country, compared with that of soldiers in Europe, is extravagantly high. In Europe the pay of the soldier is not in general greater than the hire of the labourer, the class from which he is chiefly drawn. The hire of labourers in India probably nowhere exceeds four rupees throughout the year. Those labourers,

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on becoming sepoys, received five rupees and a pension on being worn out. But this pay, notwithstanding the strongest evidence of experience, was deemed insufficient, and was raised to seven rupees, or about double the earnings of the labouring castes of the inhabitants. As this pay is equal in coin to that which the British soldier received some years ago, and much greater in actual value, there can be no doubt of its being enough, and more than enough, for negro troops.

The relative expense of transporting negro and European regiments from the West to the East Indies, is a subject with which I am entirely unacquainted. The difference would probably not be great, though something would be saved on the side of the negroes by crowding them more, and giving them an inferior kind of provisions.

If the West Indies can supply recruits, there will be no difficulty in keeping the regiments complete, by bringing over recruits at the same expense as was incurred in transporting the regiments.

In those States of North America in which the negroes have been declared free, recruits might be raised; but it is not likely that the Government of that country would authorize the measure. The importation of slaves from Africa would be too expensive; but if the freight, the pay, and the subsistence, and all other charges attending negroes from the West Indies, are calculated, they would probably fall little short of the price for which Abyssinians might be landed on the Malabar coast. India itself has no means of supplying the deficiencies of negro corps. There are still in many villages of the western part of the Deccan several families of negroes, descended from those formerly serving in the armies of the Bíjapur princes; but they could hardly furnish any recruits, and these, except in appearance, would differ nothing from the lower classes of Mussulmans.

Negro regiments could never be so well calculated as sepoys for escorting treasure, and other similar duties in time of peace. Their ignorance of the country languages would for some time be an obstacle to their being detached in small bodies on distant services. They would soon, by picking up a few followers from the lower castes, learn to make themselves understood, and to traverse the country without difficulty on common duties; but they never could with safety be entrusted with the escort of treasure. They would be actuated by none of those feelings which ensure the fidelity of the sepoys, and they would be as likely to plunder as to guard the treasure. Some of the sepoys are born, and most of them brought up, in the service. Their native village is in the dominions of the British Government. Their families live under its protection. They look forward to a maintenance in old age from its bounty, and to a retreat among their friends; and all these circumstances together operate so powerfully in maintaining them in their duty, that

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they are perhaps more trustworthy than European soldiers without an officer. But negroes brought to this country when grown up to manhood, would have little attachment to it, and could not with prudence be detached alone with treasure. They might perform all the other duties which are usually given to sepoys, but from being strangers and less acquainted with the inhabitants and their manners, they would hardly execute them so well.

Sepoys would not be pleased to see slaves raised in India preferred to them in duties of honour; but they would feel no jealousy on account of the negro regiments. They know that His Majesty's Europeans take rank of the Company's, and they would ascribe the preference shown to the negroes to their being King's troops.

If the state of India is such as to admit of sending sepoy corps to the West Indies, there will be no inconvenience experienced from sending their European officers with them. A proportion of European officers above the establishment even of such corps might be detached with them without any detriment to the service in this country; for the sepoy regiments, by having native as well as European officers, are more completely officered than any troops in the world, and though they could not be depended upon without European officers, they would be as efficient in this country as they now are, with a smaller proportion.

The native troops must certainly receive the same allowances in the West Indies as in India. Those allowances might be frequently the subject of conversation; but it is not likely that they would ever excite any such jealousy as to impede the public service. The Bengal troops who served on the coast during Hyder's invasion of the Carnatic received much higher allowances than either the King's or Company's corps in the Madras army without occasioning the smallest disagreement. The King's officers in the West Indies know that they would, on coming here, be entitled to the Company's allowances, and they will have too much liberality to suppose that the Company's own troops ought to be deprived of them for volunteering on distant service.

A deputy paymaster ought to be appointed to the Company's troops serving in the West Indies, who should receive his cash from the King's paymaster. I am not sure how far it might be practicable to obtain money in the West Indies from Portuguese or Americans for investments in this country, or for the Company to send out bullion or obtain bills on the West Indies on more favourable terms than those on which cash is issued there to His Majesty's troops.

The clothing must be sent direct from England to the West Indies, and the proceeds be carried to the general account in India.

Rice, when not procurable in the market, must be issued to the sepoys in the same manner as in this country, at twelve seers the rupee, and at half a seer daily to each man where other grain is to

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be purchased; but where other grain cannot be got, it would be necessary to issue one seer per man. The rice might, I believe, be got cheaper from the Southern States of North America than from this country, and it is probable that the supply from that country would in general be so ample as to preclude the necessity of issuing it from the public stores, except in cases of emergency. The want of dáll would not be felt by the Madras sepoys. Those from Bengal could be easily supplied with split peas from America. Ghee, or substitutes for it, tobacco, pepper, etc., could all be found in the West Indies; and on the whole there would be no difficulty in feeding sepoys in those colonies.

The deficiencies in corps might be supplied there by recruiting negroes and men of colour. The great objection to such recruits is that no confidence could be placed in them in the event of any internal disturbances; for they would not only be disposed to join the insurgents, but they would endeavour to seduce the sepoys from their duty. It would therefore be most advisable to send recruits from India.

The rank between the King's and Company's officers must be adjusted precisely in the same manner in the West as in the East Indies. The King's commissions granted to the Company's officers must extend their rank to the West Indies.

It is probable that the sepoys would suffer nothing from the heat of the West Indies, for their own country is hotter; and it is also probable that, from their temperament and diet, they would be more liable than the negroes to the attacks of the yellow fever. It may, however, be supposed that as a removal from one province of India to another, when there is any material difference in the heat or cold, dryness or moisture of the atmosphere, produces among them fevers, fluxes, etc., that on being transported to the West Indies, they would be subject to similar disorders; but it is not probable that they would suffer any considerable diminution in their numbers from this cause.

They would be as capable of opposing Europeans in the West Indies as in this country under similar circumstances. They might not be so healthy, and consequently might not be quite so fit for service as here; but European troops are also less efficient in the West Indies, as in the East.

The period of service might be three years. This would be long enough at a first trial, and might afterwards be lengthened when the sepoy became familiarized to the West Indies.

There seems to be no cause to apprehend any difficulty regarding provisions. The sepoys will be less scrupulous after reaching the West Indies than now about their provisions. Rice and water are the chief articles, and both may be easily supplied. The keeping the water and boiling the rice of the different castes separately on

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board ship might occasion some difficulty, but not such as might not always be surmounted by a little exertion. These difficulties would only occur on embarkation; and as the passage from one colony to another would be short, the same preparations would not be required as for the long voyage from India.

The native officers ought to be tried by the Company's articles of war. The difficulty of assembling general courts-martial for the trial of natives might be obviated, either by authorizing a smaller number of members to form a court, or the senior non-commissioned to sit as members. The end of impartial justice might be equally well attained by supplying the deficiency of native with European officers; but this would not be so satisfactory to the feelings of the sepoys. There would be no difficulty in finding interpreters. Most of the Bengal officers understand the Hindustáni language, and on the coast there are some sepoys in every company who speak English.

With respect to the general policy of the plan, it may be said that if any advantage is to be derived from the employment of negro regiments in India, it must arise either from their proving more serviceable than the native troops, or from the necessity which may hereafter occur of removing them from the West Indies, lest they should mutiny or join an insurrection of the slaves. The negroes are regarded as good troops in the West Indies; but they owe their reputation less to their own excellence than to the sickly and often undisciplined state of the Europeans with whom they have acted. In India they would be far inferior to Europeans. They would resemble the corps of topasses, which have sometimes been employed in this country, composed of low-caste natives, of half-caste Portuguese, and a few Abyssinians, and they would certainly never be better troops than sepoys. They could add, therefore, nothing to the efficiency of the Indian armies; and to bring them here merely as auxiliaries, when as good and better troops can be found on the spot, would be a useless expense. If, however, they should become dangerous to the tranquillity of the West Indies, it would be highly advisable to send them to this country; for, whether embodied or disbanded, they could do no mischief here.

The expediency of sending sepoys to the West Indies is a question of a very different nature. The troops employed in those colonies seldom appear to have been very respectable. A country in which military operations are often suspended during fifteen or twenty years, and in which the struggle is rather with the climate than with the enemy, is not one to form soldiers. It is not, therefore, surprising that an assemblage of soldiers, seamen, men of colour, and negroes under Victor Huguis, should have been a match for British troops. Sepoys are more habituated to discipline,

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to long marches, and to all the hardships of a camp life, than any troops in the West Indies. Acting with British soldiers, they would be inferior to them only in storming a breach, or in resisting the charge of a European enemy in the open field. In all other respects they would be equal, and in duties of fatigue superior, and they would perhaps suffer less by desertion. A body of such men would doubtless be formidable to any enemy in the West Indies. Their numbers would probably be little diminished by the climate, and as there would be no danger of their joining either a foreign enemy or internal rebels, they would, supported by a few veteran corps of Europeans, constitute the most efficient military force that has probably ever been seen in those colonies. If it should ever happen that a sufficient supply of British troops cannot be spared from Europe for their defence, they might be most powerfully aided by sepoys from India, who might be employed with great effect against any enemy, but with particular advantage against revolted negroes.

If experience justifies the reasonable expectation that sepoys will bear the West Indian climate, it is possible that those islands may, on some future occasion, be as effectually succoured from India as from Europe.

In order to ascertain how far the plan is practicable, it might be advisable to try it on a small scale with a battalion of 1000 or 1200 sepoys. The employment of such a body would furnish the means of calculating the probable expense of a larger armament. It would show whether sepoys are capable of resisting the climate: it would point out whatever was deficient and had not been foreseen, and it would thereby enable Government, whenever it became expedient to equip a more considerable force, to estimate with confidence both the expense and the services which it might render to the country.

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